

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES**  
**BOARD MEETING**  
**MAY 29, 2025 - 10:00 A.M.**

**A. Call to Order, Preliminary Remarks, and Roll Call**

Chair Jill Peeples – Good morning. I'm Jill Peeples, Chair of the Board of Funeral, Cemetery, and Consumer Services. This is Thursday, May 29, 2025. It's Thursday and 10:04. I'm going to call the meeting to order and I'm going to turn it over to Ms. Simon.

Ms. Ellen Simon – Thank you, ma'am. Good morning. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is May 29, 2025, and it's about 10:04 AM. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held in person at the Hammock Beach Golf Resort, in Palm Coast, Florida. Notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to interested persons and information concerning the Board meeting has been made available on the Division's website. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared.

Persons speaking are requested to identify themselves for the record each time they speak. Participants are respectfully reminded that the Board's Chair, Ms. Peeples, runs the meeting. Persons desiring to speak should initially ask the Chair for permission.

As a reminder to Board members, you are to refrain from commenting on facts not included in your Board packages and instead base your decisions solely on the information in your Board package as well as testimony provided at this meeting. Additionally, ongoing investigations are private and confidential and are not to be discussed.

Just a few words about item R on your agenda, which is Public Comment. Public Comment is reserved for general comments by the public and not re-litigation of any matter before the Board. Please be made aware that if Public Comment is used as an attempt to relitigate a matter that is being heard on this agenda, the Board will be instructed that the comment is not appropriate for a Public Comment's item and should not be considered for further discussion. Madam Chair, at this point I will call the roll:

Jill Peeples, Chair  
Andrew Clark, Vice Chair  
David Chapman  
Sanjena Clay **(EXCUSED)**  
Vincent "Todd" Ferreira  
Christian "Chris" Jensen  
Kenneth "Ken" Jones  
Janis Liotta **(EXCUSED)**  
William "Bill" Quinn  
Darrin Williams

**Also noted as present:**

Mary Schwantes, Executive Director  
Rachelle Munson, Board Legal Advisor  
Kimberly Marshall, Department Legal Counsel  
LaTonya Bryant, Department Staff  
Crystal Grant, Department Staff

Ms. Simon – Ms. Liotta is excused from today's meeting as well as Ms. Clay. And we have a quorum for the business of the Board.

Chair Peeples – Thank you, Ms. Simon.

**B. Action on the Minutes**

*(1) May 1, 2025*

**MOTION:** Mr. Darrin Williams moved to adopt the minutes of the meeting. Mr. Bill Quinn seconded the motion, which passed unanimously.

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you.

**C. Disciplinary Proceedings**

*(1) Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)*

*(a) O'Brien, Michael A.: DFS Case No. 320333-23-FC; Division No. ATN-41083 (F066697)*

Ms. Simon – Presenting for the Department, as in all disciplinary cases, is Ms. Marshall.

Ms. Kimberly Marshall – Thank you, Ms. Simon. And good morning, Board members. Always nice to see you all in person. For the record, Mr. Jones is recused from this case and also the next three (3) cases, due to his participation on the Probable Cause Panel. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Michael A. O'Brien ("Respondent").

The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. Respondent was designated as the funeral director in charge of Abundant Favor Mortuary, a licensed funeral establishment. This establishment permitted an unlicensed person to engage in funeral directing; failed to provide a consumer with a signed, written agreement; and failed to specify a time in writing for the cremation of five decedents. As funeral director in charge, Respondent failed to ensure that this establishment complied with all applicable laws and rules. The disciplinary guidelines for these violations are as follows:

- *Counts I-VII: Committing fraud, deceit, negligence, incompetence, or misconduct, first offense: Reprimand, fine of \$1,000 to \$2,500 plus costs. In addition, probation for six (6) months to one (1) year, suspension up to two (2) years, permanent revocation of license and/or restitution may be imposed.*

The Motion demonstrates that Respondent failed to timely file a responsive pleading contesting the factual allegations in the Administrative Complaint, requests that the Board adopt the factual allegations in the Administrative Complaint, and requests that the Board issue an appropriate penalty in this matter. At this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and failed to timely respond thus waiving a right to elect a method of resolution in this matter.

Chair Peeples – Board members?

**MOTION:** Mr. Todd Ferreira moved that Respondent was properly served with the Administrative Complaint and has failed to timely respond, thus waiving the right to elective method of resolution in this matter. Mr. Williams seconded the motion, which passed unanimously.

Ms. Marshall – The Department asks that the Chair entertain a motion determining that there are no material facts in dispute in this case.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this case. Mr. Williams seconded the motion.

Chair Peeples – Is there any discussion on the motion?

Mr. Chris Jensen – Discussion.

Chair Peeples – Yes, sir. Mr. Jensen?

Mr. Jensen – Do we have a copy of this person's cremation authorization? Is there an appropriate time to ask?

Chair Peeples – Ms. Simon or Ms. Marshall?

Ms. Marshall – One moment. Let me review the file.

Chair Peeples – Thank you, ma'am.

Ms. Simon – I believe that is Exhibit 8 within your files.

Mr. Jensen – Okay.

Ms. Simon – I'm getting to it.

Mr. Jensen – Oh, I see it.

Ms. Simon – Okay.

Ms. Marshall – Yes, it begins on Page 68.

Mr. Jensen – Okay. Thank you.

Chair Peeples – Any other discussion on the motion? Hearing none, all in favor of the motion, say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries.

Ms. Marshall – Now that the Board has determined that there are no material facts in dispute in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

Chair Peeples – Board members?

**MOTION:** Mr. Ferreira moved to adopt the allegations of the facts as set forth in the Administrative Complaint. Mr. David Chapman seconded the motion, which passed unanimously.

Ms. Marshall – Is Mr. O'Brien or a representative here today? I'm hearing no response. The Department offers into evidence the investigative report with exhibits, a copy of which has previously been furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes, as set forth in the Administrative Complaint.

**MOTION:** Mr. Williams moved that Respondent is in violation of Florida Statutes as charged in the Administrative Complaint. Mr. Andrew Clark seconded the motion, which passed unanimously.

Ms. Marshall – The Department's penalty recommendation in this case is a fine of \$5,500 and one (1) year of probation.

Chair Peeples – Board members?

**MOTION:** Mr. Jensen moved that Respondent shall pay a fine of \$5,500 and have its license placed on probation for one (1) year. Mr. Williams seconded the motion, which passed unanimously.

*(b) Related Cases – Division No. ATN-43457*

*1. D A Jackson Funeral Home Inc.: DFS Case No. 338271-25-FC; Division No. ATN-43457 (F694330)*

Ms. Simon – Is there a representative of this entity here today? Hearing no response. Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of D A Jackson Funeral Home Inc. (“Respondent”).

The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral establishment. Respondent charged a consumer for a service not disclosed on the general price list, misrepresented the amount of a cash advance, provided a consumer with an incomplete contract, and failed to complete one (1) month’s Bodies Handled Report. The disciplinary guidelines for these violations are as follows:

- *Count I: Assessing fees and costs that have not been disclosed to the customer, first offense: Reprimand, fine of \$1,000 to \$2,500 plus costs. In addition, probation for six (6) months to one (1) year with conditions, suspension up to one (1) year, and/or restitution may be imposed.*
- *Count II: Making any false or misleading statements, or misrepresentations regarding the sale or necessity of burial or funeral merchandise or services, first offense: Reprimand, fine of \$500 to \$2,000 plus costs. In addition, probation for 6 months to 1 year with conditions may be imposed.*
- *Count III: Failing to furnish, for retention, to each purchaser of burial rights, burial or funeral merchandise, or burial or funeral services a written agreement, the form of which has been approved by the Board, first offense: Reprimand, fine of \$500 to \$1,000 plus costs. In addition, probation for six (6) months to one (1) year with conditions may be imposed.*
- *Count IV: Failing to properly complete, retain, and make available for review the monthly reports of cases embalmed or bodies handled, first offense: Notice of non-compliance.*

The Motion demonstrates that Respondent failed to timely file a responsive pleading contesting the factual allegations in the Administrative Complaint, requests that the Board adopt the factual allegations in the Administrative Complaint, and requests that the Board issue an appropriate penalty in this matter. At this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and failed to timely respond, thus waiving the right to elect a method of resolution in this matter.

Chair Peeples – Board members?

**MOTION:** Mr. Ferreira moved that Respondent was properly served with the Administrative Complaint and has failed to timely respond, thus waiving the right to elective method of resolution in this matter. Mr. Chapman seconded the motion, which passed unanimously.

Ms. Marshall – The Department asks that the Chair entertain a motion determining that there are no material facts in dispute in this case.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this case. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Marshall – Now that the Board has determined that there are no material facts in dispute in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

Chair Peeples – Board members?

**MOTION:** Mr. Chapman moved to adopt the allegations of the facts as set forth in the Administrative Complaint. Mr. Quinn seconded the motion.

Chair Peeples – Is there any discussion on the motion? Hearing none, all in favor of the motion -- excuse me, Mr. Ferreira?

Mr. Ferreira – Yes, ma'am. I don't know if this is the appropriate time to discuss this, but as I was reading through this case, I noticed that on the contract you know, we're accusing these folks of placing some, you know, fees as cash advance has been on the contract. There is no cash advance, but I think that's something we need to look at. That's just one of the allegations.

Ms. Marshall – One moment, if I may review?

Chair Peeples – Yes, ma'am.

Ms. Marshall – Are you, Mr. Ferreira, talking about the allegations in Count 2 concerning the misrepresentation of the amount of cash advance?

Mr. Ferreira – Yes, ma'am. I'm referring to the \$1,950 airline fee. That item is not listed under cash advance.

Chair Peeples – Mr. Ferreira, what page are you referring to in the packet, please?

Mr. Ferreira – Page 43.

Chair Peeples – Thank you, sir.

Ms. Marshall – So just beneath the Cash Advance Section, there is the airfare noted there, \$1,950.

Mr. Ferreira – The airfare is noted under other services, and then there is a credit for \$1,950 under total charge.

Ms. Marshall – So, even though it was not listed under the cash advances section of the contract, I believe it would still be characterized as a cash advance. I mean, certainly that's up for the Board's discussion, but that would be the stance that the Department is taking here.

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – When you listen to the other side, when you look at Mr. Stevens' response, it's pretty clear that \$1,600 was paid for the airfare. Broward County charged \$150, which is a fee that they charged, which would be a cash advance for a funeral home. And then, you know, a courier service, in this case, picking up from the airport and coming to the funeral home and that's another \$150, which could be \$1,950 very easily. That's what it would be. So, my point is, we're kind of going after these folks in a way, and there's not a cash advance listed on this contract.

Ms. Marshall – Well, I mean, again, our position would be that this would be considered a cash advance. And it, again, was not appropriately listed on the contract. If the Board would like to have further discussion on that point, by all means, you're within your right to do so.

Chair Peeples – Thank you, Ms. Marshall. Mr. Ferreira also in kind of the Board packet that we had is they were not able, from what I remember, and please Board members correct me if I'm not correct, that they had to use land transportation instead of airline. So that's where the \$1,600 fee came in. And then, as you mentioned, the two (2) \$100 fees for transfer. Mr. Ferreira, do you have a pleasure, sir? We do have a motion by Mr. Chapman and a second by Mr. Quinn.

Mr. Ferreira – I do think that there are a few other complaints that are warranted in this case.

Chair Peeples – Would you like to state those for us?

Mr. Ferreira – The Bodies Handled Report.

Chair Peeples – What page, sir?

Ms. Marshall – It is page 68.

Mr. Ferreira – Thank you.

Chair Peeples – Thank you. Ms. Marshall.

Mr. Ferreira – When you look at this report, these cases, go back, so someone needs to explain to this funeral home how to fill out a Bodies Handled Report, because there's three (3) cases on here from the court.

Chair Peeples – Yes, sir. And I'm not trying to speak for the Respondent, but I think maybe what occurred is there was a case. date of death was 12/23/2023, 12/22/2023, and then this particular case of Mr. Ramirez on 4/4/2024. I think maybe they may have not had any business between December and April. So that's why there were not monthly forms that were completed. Just a thought.

Mr. Ferreira – Thank you.

Chair Peeples – Thank you. We have a motion and a second. Is there any other discussion?

Mr. Jensen – Discussion?

Chair Peeples – Yes, Mr. Jensen?

Mr. Jensen – To go with Mr. Ferreira's point, in Count 2, if you look at the contract, the Cash Advance Section is completely empty.

Chair Peeples – And what page, Mr. Jensen, are you referring to?

Mr. Jensen – Forty-three.

Chair Peeples – Thank you.

Mr. Jensen – So, the Cash Advance Section is completely empty. And I mean, where else are you going to put something like that? And, what if they want to close? That's what the Other Section is for on contracts, to put stuff in that may not be listed as an item on your contract. For instance, clothes, flowers, sometimes a marker, sometimes cemetery space. Depending on what it is, it's other. You could put a cemetery space under Cash Advance, but maybe they got rocks and chips and things like that. So, you know, maybe you have it under Other. That's kind of a catchall for things that are not listed. I see a lot of urns under Other a lot of times because urns aren't always exactly listed on some people's contract. And I assume the contract was approved by the Department already.

Chair Peeples – Mr. Jensen, I don't think -- and maybe Ms. Simon, we might could address this to you from the Board team, is I don't think statements of goods and services by each individual firm have to be approved by the Board. Is that not correct?

Ms. Simon – Well, Madam Chair, in this matter, if I may simply speak to the appropriateness of the contract, there were items that should have been placed under Cash Advance and were not. And that's what the violation is. Simply placing something in Other does not correct that.

Chair Peeples – Somewhat. And Mr. Jensen, respectfully, if you'll notice on Page 43 of 77 of the agenda under Merchandise Selected, they do have specifics there, for like clothing, flowers, things of that nature. So, whereas some firms would place some of those items under Cash Advance, evidently this firm has chosen to place, as you mentioned, clothing, flowers under Merchandise Selected. But as you also mentioned, under Cash Advances, there's nothing listed under that topic. And then under Other Services just above that, they have air shipping fee, \$1,950, and then forwarding of remains to another funeral home, which is the two (2) fees of \$150 each, that Mr. Ferreira referred to. So, Mr. Jensen, do you have a comment or a question that you'd like to pose to Mr. Chapman or Mr. Quinn regarding their motion and their second?

Mr. Jensen – Well, my biggest issue is with this, and I think I may be speaking for Mr. Ferreira too, is that the Other Section is a catchall. I mean, \$1950, it's an arbitrary, you know, thing. There's a lot of work that goes into shipping somebody. They may

have used a hearse going to the airport. They may have had to drive to another city to get to an airport. You know, I understand you got a mileage thing on there. But I mean, I've never seen a funeral home that didn't use a section called "Other." And it could be for things that you're actually making profit on. So, Cash Advances for things you're not necessarily making a profit on. You're paying exactly what the vendor charges. So, I don't know, it's a little ambiguous.

Ms. Marshall – If I may? Underneath the Cash Advance Section, they actually do have a blank line there for airfare. So, they themselves evidently consider airfare to be a cash advance item. They didn't put it there.

Mr. Jensen – My point being is airfare might only be \$600. Maybe they had a lot more they had to do. Who knows?

Ms. Simon – But it was not delineated on there. If it was mileage, if it was special casket, anything like that, it should have been delineated in there. And again, we're taking a position, the airfare unto itself, you know, without any extras that would've been required to facilitate the air shipment would be a cash advance.

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Ferreira – Let's also remember that this person was taken to the airport and was nine (9) pounds over. So, Delta would not allow the shipment. So, the funeral home had to get back to the airport, you know, and make that [inaudible].

Chair Peeples – So, Mr. Ferreira and Mr. Jensen, do you have any items you'd like to present to Mr. Chapman or Mr. Quinn regarding their motion and second?

Mr. Jensen – What exactly are we voting on right now? Just to clarify.

Chair Peeples – Ms. Marshall?

Ms. Marshall – Whether to adopt the allegations of fact in the Administrative Complaint. And specifically, I think we were concerned with Count 2.

Mr. Jensen – I mean, I guess my issue, Madam Chair, is you can kind of look at this both ways. I've always seen an "Other" column. I've used an "Other" column many times for things, and I think we're going down a slippery slope here because there are a lot of other behind the scenes costs that could be involved. I don't know if we need a better explanation. I agree, you know, if it's something that was done wrong, then we should definitely fix it. But I would like to see Count 2 looked at a little closer, maybe by Ms. Marshall or someone. We need to get an ideal on that going forward for all these funeral homes that are sitting in the rooms. I mean, I can't imagine. Does anybody out there have an "Other" on your contract? Raise your hand. You see what I'm saying?

Chair Peeples – Thank you for that, Mr. Jensen. But I guess the question is by Mr. Jensen and Mr. Ferreira who raised some points here, and I don't know, Ms. Marshall, if this will come back to you and your area. Are you requesting Ms. Marshall, for the two (2) gentlemen to rescind their motion and their second and we table and go back for some other items? Because this will also affect agenda item C(1)(b)2. So, gentlemen, what would be your question or comment to Ms. Marshall regarding this case?

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Ferreira – So, Count 1 obviously is the blatant issue because on their contract or on their GPL, there's no breakdown for autopsy cases. So, the \$2,550 that they charged for an autopsy here, there's not even a line item on their general price list for autopsy here. So, there are a few items on here that there's certainly I have issues with, but there are some that I don't.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes, I would agree to that. I would also you know, just looking at if you read Count two, *making a false or misleading statements or misrepresentation*, I don't necessarily agree with Count 2. I do agree with Counts 1 and 3 is proven, and 4 looks proven as well. So, I would ask maybe Mr. Chapman restate to get rid of Count 2 and go forward with Counts 1, 3, and 4. Ms. Marshall, are you okay with that, or no?

Ms. Marshall – It's the Board's discretion to accept or reject any or all of the Counts.

Mr. Jensen – I think we're going down a slippery slope here again, with the other column. You know, I've used it. A lot of funeral homes use it as you can see. I don't think we ought to stick everything under Cash Advance because there's a lot of things that can come up.

Chair Peeples – So, Mr. Jensen, your request to Mr. Chapman and Mr. Quinn is to remove their motion or amend it?

Mr. Jensen – Yes, I would say amend it, excluding Count 2.

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Ferreira – I'll make my motion do we proceed with Counts 1, 3 and 4.

Chair Peeples – Mr. Chapman, do you accept the amended motion?

Mr. Chapman – Yes.

Chair Peeples – Mr. Quinn?

Mr. Quinn – Yes, I do.

Chair Peeples – Thank you. So, we have an amended motion to accept Counts 1, 3, and 4. Any other discussion on this motion? Hearing none, all in favor of the motion, say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries.

Ms. Marshall – Once again asking, is a representative of D A Jackson Funeral Home present today? Hearing nothing. The Department offers into evidence the investigative report with exhibits, a copy of which has previously been furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes, as set forth in the Administrative Complaint.

**MOTION:** Mr. Ferreira moved that Respondent is in violation of Florida Statutes as charged in the Administrative Complaint. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Marshall – And as to penalty in this case, the penalty recommendation I had was including Count 2, which has been dropped but it was \$3,275 and one (1) year of probation. However, the Board would like to you know, adjust, considering that one (1) of the counts has been dismissed.

Mr. Jensen – Madam Chair, question?

Chair Peeples – Yes, sir. Mr. Jensen.

Mr. Jensen – Ms. Marshall, what portion of that was attributed to Count 2?



Ms. Marshall – Unfortunately, I don't have it delineated out. However, the disciplinary guidelines for Count 2 called for a reprimand and a fine of \$500 to \$2,000 plus costs, probation six (6) months to one (1) year.

Chair Peebles – Mr. Jensen?

Mr. Jensen – Yeah, I'll make a motion that we go with the \$3,500, the maximum on Counts 1 and 3. Count 4 doesn't look like it has anything on there. And the probation is, well, \$3,500, and that's mainly based on no one showed up to defend them.

Chair Peebles – So, Mr. Jensen, your motion is \$3,500 total?

Mr. Jensen – That is correct, \$2,500 for Count 1, \$1,000 for Count 3. And then the probation, I assume is attached to Count 4. Is that correct?

Ms. Marshall – Count 4 is only a Notice of Noncompliance but Counts 1 and 3 also have probation included. So, you are within the guidelines.

Mr. Jensen – Yes. The probation that Ms. Marshall made, was it six (6) months or a year?

Ms. Marshall – It was one (1) year.

Mr. Jensen – One-year probation.

Mr. Ferreira – I second it, Ferreira.

Chair Peebles – We have a motion by Mr. Jensen, a second by Mr. Ferreira. Is there any discussion on the motion?

Mr. Williams – Yes.

Chair Peebles – Mr. Williams?

Mr. Williams – [Inaudible]

Ms. Marshall – Would Ms. Schwantes or Ms. Simon care to respond?

Ms. Simon – Actually Mr. Williams, in this matter, we would recommend that we stick with the penalty suggested, a motion by Mr. Jensen and put it all into one. Having a Notice of Non-Compliance. In addition to that, the suggested penalty should cover that.

Mr. Williams – [Inaudible]

Ms. Simon – I would put it all together into one.

Mr. Williams – [Inaudible]

Ms. Simon – Yes.

Ms. Munson – Just to clarify, for the order, will the penalty include the \$3,500 fine, one-year probation, and a Notice of Non-Compliance? You're saying it will not include a notice of noncompliance, even though the noncompliance addressed it?

Ms. Simon – Correct. We are saying it would be \$3,500 as motioned and one year of probation for the entirety of the case.

Chair Peebles – Yes, Mr. Williams?

Mr. Williams – [Inaudible]

Ms. Marshall – So, there is a purpose for including that. For future discipline the penalties do go up if there are subsequent issues with the Bodies Handled Report beyond just a Notice of Non-Compliance. So, it's still -- I mean, the Board has voted that there is evidence to substantiate that allegation. So, we would like to have that on the record.

Mr. Williams – [Inaudible]

Ms. Marshall – Well, that's why we don't want to drop Count 4. We want to leave it in there as having had occurred. When the order is written, we don't delineate out discipline per Count. It's just the entire Administrative Complaint is resolved with the fine and the probation. So, it doesn't particularly matter exactly how we attribute those penalties. Yes.

Chair Peeples – Thank you, Mr. Williams. Ms. Marshall, if we may. Mr. Jensen, you had made the motion on the penalty phase. Mr. Ferreira, you had second. And earlier, our third motion was Mr. Chapman and Mr. Quinn, and it passed was an amended motion for Counts 1, 3, and 4. So, for the record, Mr. Jensen, will you amend your motion on this penalty phase to just include the word Count 4?

Ms. Simon – Well, Madam Chair, if I understand Ms. Marshall, the Department is requesting that we leave that in there. I understand what Mr. Williams is referring to, but a notice of reprimand on top of that, that's just the highest penalty for that particular point. I think we should leave that point in there.

Chair Peeples – Well, you just mentioned Counts 1 and 3 specifically in your motion.

Mr. Jensen – I'm sorry.

Chair Peeples – So, we want it to say Counts 1, 3, and 4.

Mr. Jensen – Okay.

Chair Peeples – So, will you amend your motion?

Mr. Jensen – Yes, ma'am. One, Three and Four. I amend my motion.

Chair Peeples – Mr. Ferreira, will you accept?

Mr. Ferreira – Yes. Yes, ma'am.

Chair Peeples – Thank you. So, we have an amended motion. We have a second. Any discussion?

Mr. Quinn – Yes.

Chair Peeples – Mr. Quinn?

Mr. Quinn – What was your initial recommendation for fine?

Ms. Marshall – Well, the initial recommendation was a fine of \$3,275 and one (1) year of probation, but that was including Count 2, which was dropped.

Mr. Quinn – So, I understand, so that was for all four (4)?

Ms. Marshall – That was for all four (4), yes.

Mr. Quinn – And we took one (1) of the Counts out and we're increasing.

Ms. Marshall – Well, the Board is within its discretion to, you know, deviate from my recommendation. A recommendation is just that. As you are within the guidelines on the discipline that has been proposed.

Mr. Quinn – Thank you. It just seemed a little excessive to me.

Chair Peeples – So, we have amended motion and a second. Any other discussion on the motion? Hearing none, all in favor of the motion, say Yes.

Board Members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries. Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

## **2. Stevens, Roderick W.: DFS Case No. 338272-25-FC; Division No. ATN-43457 (F029163)**

Ms. Simon – Is Mr. Stevens or a representative of Mr. Stevens here today? Hearing no response. Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Motion for Determination of Waiver and Request for Informal Hearing and for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Roderick W. Stevens (“Respondent”).

The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. Respondent was designated as the funeral director in charge of D A Jackson Funeral Home Inc., a licensed funeral establishment. This establishment assessed a charge that was not disclosed on its general price list, misrepresented the amount of a cash advance, provided a consumer with an incomplete written contract, and failed to complete one (1) month’s Bodies Handled Report. As funeral director in charge, Respondent failed to ensure that this establishment complied with all applicable laws and rules. The disciplinary guidelines for these violations are as follows:

- *Counts I-IV Committing fraud, deceit, negligence, incompetence, or misconduct, second offense: Reprimand, fine of \$2,500 to \$5,000 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to five (5) years, permanent revocation of license and/or restitution may be imposed.*

The Motion demonstrates that Respondent failed to timely file a responsive pleading contesting the factual allegations in the Administrative Complaint, requests that the Board adopt the factual allegations in the Administrative Complaint, and requests that the Board issue an appropriate penalty in this matter. At this time, it’ll be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and failed to timely respond, thus waiving the right to elect a method of resolution in this matter.

**MOTION:** Mr. Clark moved that Respondent was properly served with the Administrative Complaint and has failed to timely respond, thus waiving the right to elective method of resolution in this matter. Mr. Williams seconded the motion, which passed unanimously.

Ms. Marshall – The Department asks that the Chair entertain a motion determining that there are no material facts in dispute in this case.

**MOTION:** Mr. Clark moved that there are no material facts in dispute in this case. Mr. Williams seconded the motion.

Chair Peeples – Any discussion on the motion?

Mr. Jensen – Yes, ma'am.

Chair Peeples – Yes, Mr. Jensen?

Mr. Jensen – So, if we're approving all the material facts and there's no disputing that, is that from us disputing or the firm here?

Ms. Marshall – So, this current motion is whether Mr. Stevens is disputing. So, the next one (1) is about whether the Board wants to adopt the facts or not.

Mr. Jensen – Thank you for the clarification.

Chair Peeples – We have a motion by Mr. Clark, second by Mr. Williams. Is there any other discussion on the motion? Hearing none, all in favor of the motion, say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries.

Ms. Marshall – Now that the Board has determined that there are no material facts in dispute in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

Chair Peeples – Board members?

Mr. Clark – Madam Chair I have a question.

Chair Peeples – Yes, Mr. Clark?

Mr. Clark – Ms. Marshall, this is his second offense, right?

Ms. Marshall – Yes, sir. He does have one prior Administrative Complaint.

Chair Peeples – Thank you, Mr. Clark. Board members?

Mr. Jensen – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Jensen – This is basically a companion to the last case, correct?

Ms. Marshall – Yes, sir.

Mr. Jensen – So, it looks like Ms. Marshall put everything, Counts 1 through 4. Again, I think we should delete Count 2. I assume Count 2 is the same from previous case.

Ms. Marshall – Yes, sir.

Chair Peeples – Mr. Jensen, would you like to present that as a motion?

Mr. Jensen – Yes, ma'am.

**MOTION:** Mr. Jensen moved to adopt the allegations of the facts for Counts 1, 3, and 4, as set forth in the Administrative Complaint. Mr. Ferreira seconded the motion, which passed unanimously.

Ms. Marshall – Okay. Once again, is Mr. Stevens or a representative available?

Chair Peeples – Ms. Munson?

Ms. Munson – I just wanted to clarify that Counts 1 and 2 for both of those cases are materially same, but they read a little bit differently and I just wanted the Board members to [inaudible] differently.

Ms. Marshall – Ms. Munson, are you speaking on the two (2) cases and documents?

Ms. Munson – Yes. Administrative Complaints for the case before you right now, Roderick Stevens and the case previously reviewed D A Jackson, but they're materially the same, but they're not identical.

Ms. Marshall – Essentially, they're the same. So, the violation was committed directly by the establishment. It was a negligence on part of the funeral director for failing to make sure that the establishment followed the law.

Chair Peeples – Thank you, Ms. Marshall and Ms. Munson. Ms. Munson, any further? Thank you. So, we finished this item. We are at the fourth motion.

Ms. Marshall – Yes. I had asked if Mr. Stevens was present. But hearing nothing, the Department offers into evidence the investigative report with exhibits, a copy of which has previously been furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint. Now that the Board has adopted the findings of fact in this case, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes, as set forth in the Administrative Complaint.

Chair Peeples – Board members?

Mr. Jensen – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Jensen – So you mentioned, we're just talking about 1, 3 and 4, right?

Ms. Marshall – Oh, yes. I'm sorry. I should have clarified my motion. Yes.

Mr. Jensen – I just want to make sure.

Ms. Marshall – Yeah, yes. That it constitutes a violation of Florida statutes as regards to Counts 1, 3, and 4.

**MOTION:** Mr. Jensen moved that Respondent is in violation of Florida Statutes as regards to Counts 1, 3, and 4 as charged in the Administrative Complaint. Mr. Ferreira seconded the motion, which passed unanimously.

Ms. Marshall – And as to penalty we are recommending a fine of \$3,500 and one (1) year of probation.

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir. Mr. Ferreira?

Mr. Ferreira – This is where I struggle. This gentleman was the FDIC, in the case before this, we fined the funeral home. So now we're going after the FDIC. I struggle with that at times. Because the FDIC, as I've said in the past, doesn't always and I know what we want them to do, but they don't always sign the checks. They're supposed to oversee a funeral home or two (2). So, they don't always know what's going on at 2:00 AM in the morning. I know we've had cases where we fine FDIC while they were sleeping in bed, things were going on behind the scenes early mornings. So, I think we need to be careful with that because I almost feel like we're double dipping in a way. We're going after the establishment and we're going after the FDIC. But just a little secret, the establishment is paying for the FDIC's fine. Is that right? Right? Okay. So, I just want to make that comment, and I think as time goes on, we need to look a little closer to the role of the FDIC and the purpose. Is there a purpose then. Thank you.

Chair Peeples – So, Mr. Ferreira, what is your pleasure regarding the penalty phase of this particular case, sir?

Mr. Ferreira – Personally, I think we need to cut it in half. So, the \$3,500 needs to go to, what's that?

Ms. Marshall – \$1,750?

Mr. Ferreira – Yes.

Chair Peeples – So, is that in the form of a motion, sir?

Mr. Ferreira – Yes.

Ms. Marshall – And was there a probation attached to that as well?

Mr. Ferreira – This guy had a second offense, so I think a year probation.

**MOTION:** Mr. Ferreira moved that Respondent shall pay a fine of \$1750 and have its license placed on probation for one (1) year. Mr. Chapman seconded the motion.

Chair Peeples – Any further discussion on the motion?

Mr. Williams – Yes, Madam Chair?

Chair Peeples – Yes, sir. Mr. Williams?

Mr. Williams – What was the initial recommendation?

Ms. Marshall – My initial recommendation was \$3,500 and one (1) year of probation.

Chair Peeples – Mr. Williams, does that complete your question?

Mr. Williams – Yes, ma'am.

Chair Peeples – Thank you. So, we have a motion and a second. Any other discussion on the motion? Hearing none, all in favor of the motion say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No.

Mr. Williams – No.

Chair Peeples – Is that Mr. Williams?

Mr. Williams – Yes.

Chair Peeples – Please let the record reflect Mr. Williams is a no. Motion carries. Ms. Simon?

*(2) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel A)  
(a) Slonaker Transportation Service Inc: DFS Case No. 338208-25-FC; Division No. ATN-43800 (F778029)*

Ms. Simon – Is there a representative of this entity here today? Please step forward. Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Slonaker Transportation Service Inc (Respondent).

The Division conducted an investigation of Respondent and alleges as follows: Respondent is a licensed a removal facility license number F778029. Respondent failed to affix an identification tag on the wrist or ankle of delivered human remains. The disciplinary guideline for this violation is as follows:

- *Count I: Failing to properly affix an identification tag to a casket or other container in the manner required by this statute or rule: Reprimand, fine of \$250-\$1,000 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years, or permanent revocation of license may be imposed.*

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. At this time, it would be appropriate for the Chair to entertain a motion to determine if the Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing.

**MOTION:** Mr. Williams moved that Respondent was properly served with the Administrative Complaint and has timely submitted a request for an informal hearing. Mr. Clark seconded the motion, which passed unanimously.

Ms. Marshall – The Department asks that the Chair entertain a motion determining that there are no material facts in dispute in this case.

**MOTION:** Mr. Ferreira moved that there are no material facts in dispute in this case. Mr. Williams seconded the motion, which passed unanimously.

Ms. Marshall – Now that the Board has determined that there are no material facts in dispute in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

**MOTION:** Mr. Ferreira moved to adopt the allegations of the facts as set forth in the Administrative Complaint. Mr. Williams seconded the motion, which passed unanimously.

Ms. Marshall – Now would be an appropriate time to hear from the Respondent's representative.

Chair Peeples – Thank you. Please, sir, if you will come to the podium and let Ms. Simon swear you in, please.

Ms. Simon – You will raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. William J, Slonaker – Yes, ma'am.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Slonaker – William J, Slonaker. S-L-O-N-A-K-E-R.

Ms. Simon – Thank you, sir.

Chair Peeples – Thank you, sir. Thank you for attending today.

Mr. Slonaker – Yes, ma'am.

Chair Peeples – And would you like to address the Board?

Mr. Slonaker – Well, it was my business, and the guy worked for me, so I'm guilty. That's all I can say.

Chair Peeples – We appreciate short and sweet.

Mr. Slonaker – I don't know what else to say.

Chair Peeples – Well, we appreciate that. We appreciate you attending the day and I'm sorry, under these circumstances, but thank you for attending.

Mr. Slonaker – Yes, ma'am.

Chair Peeples – Board members, any questions for Mr. Slonaker? Mr. Clark?

Mr. Clark – How long have you [audio cuts out]?

Mr. Slonaker – Almost twelve (12) years.

Mr. Clark – Is this your first offense?

Mr. Slonaker – Yes, sir.

Mr. Clark – Thank you.

Chair Peeples – Thank you, Mr. Clark. Any other questions for Mr. Slonaker? Board members?

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, Mr. Ferreira?

Mr. Ferreira – So, the cases before us, when your team went to the hospital, and the hospital gave your team the deceased body, was it tagged by the hospital?

Mr. Slonaker – Yes, sir. It had a wristband on.

Mr. Ferreira – Okay. That's it.

Chair Peeples – Thank you, Mr. Ferreira. Any other questions for Mr. Slonaker by the Board? Board members? Ms. Marshall, you want to come back up? Mr. Slonaker, do you have any other comments?

Mr. Slonaker – No ma'am.

Chair Peeples – Okay. If you don't mind just kind of standing here for us, please, sir. Ms. Marshall?

Ms. Marshall – Thank you, Madam Chair. Now that the Board has adopted the findings of fact in this matter, the Department asks the Chair to entertain a motion finding that these facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint.

**MOTION:** Mr. William moved that the facts constitute a violation of Florida Statutes as set forth in the Administrative Complaint. Mr. Clark seconded the motion, which passed unanimously.

Ms. Marshall – And the Department's recommendation for discipline in this case is a fine of \$750 and one (1) year of probation.

Mr. Clark – Madam Chair?

Chair Peeples – Yes sir, Mr. Clark?

**MOTION:** Mr. Clark moved that Respondent receive a reprimand. Mr. Ferreira seconded the motion.



Chair Peeples – So Mr. Clark a reprimand instead of the fine and the probation?

Mr. Clark – That's correct.

Chair Peeples – Thank you. We have a motion by Mr. Clark and a second by Mr. Ferreira. Is there any discussion on the motion? Hearing none, all in favor of the motion, say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries. Thank you, sir for coming.

Mr. Slonaker – Yes ma'am.

**(3) Settlement Stipulation (Probable Cause Panel A)**

**(a) Turner, Jeb Stuart: DFS Case Nos.: 309706-23-FC and 334886-24-FC; Division Nos. ATN-39467 and ATN-42766 (F429001)**

Ms. Simon – Representing the licensee is Ms. Wiener. Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. Jeb Stuart Turner is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F429001. The Department conducted an investigation of Respondent and found as follows: At all times material to the allegations herein, Respondent was designated as the funeral director in charge of Signature Memorial Funeral & Cremation Services LLC, a formerly licensed funeral establishment which held license number F090323. This establishment failed to timely deliver a monument and failed to display the name of the funeral director in charge at its public entrance. As funeral director in charge, Respondent failed to ensure that the establishment complied with all applicable laws and rules. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,500, and Respondent's license shall be placed on probation for one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I'm available to answer any questions about this case. Thank you.

Chair Peeples – Ms. Wiener, would you like to address?

Ms. Wendy Wiener – I'm just here for answering any questions?

Chair Peeples – Thank you, ma'am. Board members, any questions for Ms. Wiener or your pleasure? Board members? We have a Settlement Stipulation before us.

**MOTION:** Mr. Jensen moved that approve the Settlement Stipulation which provides that Respondent shall pay a fine of \$1,500, and Respondent's license shall be placed on probation for one (1) year. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

**(4) Settlement Stipulation (Probable Cause Panel B)**

**(a) Related Cases – Division No. ATN-42100**

**1. Campbell, Jarrod Theodore: DFS Case No. 320816-23-FC; Division No. ATN-42100 (F043133)**

Ms. Simon – Is the licensee here or a representative of the licensee here today?

Mr. Luke Grabowski – Madam Chair, Luke Grabowski on behalf of Albert Morrison, Jarrod Campbell and the Jarrod Campbell Funeral Home. The next three (3) settlement stipulations.

Chair Peeples – Thank you, sir. Mr. Williams?

Mr. Williams – Madam Chair, I need to recuse myself as I served on Probable Cause Panel B for C(4)(a)(1) through (3).

Chair Peeples – Thank you, sir. Ms. Marshall?

Ms. Marshall – Thank you, Madam Chair. Jarrod Theodore Campbell (“Respondent”) is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F043133. The Department conducted an investigation of Respondent and found as follows: Respondent misrepresented the amount of a cash advance item, failed to provide a consumer with a complete general price list, and failed to obtain a signed declaration of intent for cremated remains. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a fine of \$1,500, and Respondent’s license shall be placed on probation for one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I’m available to answer any questions. Thank you.

Chair Peeples – Thank you, Ms. Marshall. Mr. Grabowski, would you like to address the Board?

Mr. Grabowski – Madam Chair, I’m just here for questions.

Chair Peeples – Thank you, sir. Board members?

**MOTION:** Mr. Jones moved that approve the Settlement Stipulation which provides that Respondent shall pay a fine of \$1,500, and Respondent’s license shall be placed on probation for one (1) year. Mr. Quinn seconded the motion, which passed unanimously.

**2. *JT Campbell Funeral Home and Cremation Services Macedonia Chapel LLC: DFS Case No. 320813-23-FC; Division No. ATN-42100 (F328634)***

Ms. Simon – Presenting again for the Department is Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. JT Campbell Funeral Home and Cremation Services Macedonia Chapel LLC (“Respondent”) is a funeral establishment, licensed under Chapter 497, Florida Statutes, license number F328634. The Department conducted an investigation of Respondent and found as follows: Respondent misrepresented the amount of a cash advance item, failed to provide a consumer with a complete general price list, and failed to obtain a signed declaration of intent for cremated remains. Respondent has entered into a proposed Settlement Stipulation which provides that Respondent shall pay a fine of \$1,500, and Respondent’s license shall be placed on probation for one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I’m available to answer any questions. Thank you.

**MOTION:** Mr. Ferreira moved that approve the Settlement Stipulation which provides that Respondent shall pay a fine of \$1,500, and Respondent’s license shall be placed on probation for one (1) year. Mr. Clark seconded the motion, which passed unanimously.

**3. *Morrison, Albert: DFS Case No. 320814-23-FC; Division No. ATN-42100 (F046635)***

Ms. Simon – Ms. Marshall?

Ms. Marshall – Thank you, Ms. Simon. Albert C. Morrison (“Respondent”) is a funeral director and embalmer, licensed under Chapter 497, Florida Statutes, license number F046635. The Department conducted an investigation of Respondent and found as follows: At all times material to the allegations herein, Respondent was designated as the funeral director in charge of JT Campbell Funeral Home and Cremation Services Macedonia Chapel LLC. This establishment misrepresented the amount of a cash advance item, failed to provide a consumer with a complete general price list, and failed to obtain a signed declaration of intent for cremated remains. As funeral director in charge, Respondent failed to ensure that this establishment complied with all applicable laws and rules. Respondent has entered into a proposed Settlement Stipulation which provides that Respondent shall pay a fine of \$1,500, and Respondent’s license shall be placed on probation for one (1) year. The Department requests that the Board accept this Settlement Stipulation in resolution of this matter, and I’m available to answer any questions. Thank you.

**MOTION:** Mr. Jensen moved that approve the Settlement Stipulation which provides that Respondent shall pay a fine of \$1,500, and Respondent's license shall be placed on probation for one (1) year. Mr. Jones seconded the motion, which passed unanimously.

Chair Peeples – Thank you, sir.

Mr. Grabowski – Thank you, Madam Chair.

Chair Peeples – And where we are at the moment, we need to have Ms. Simon make an announcement and then I'll make a quick announcement. Ms. Simon?

Ms. Simon – Thank you, Madam Chair. Any person desiring to get CE credits can leave after this point because discipline is over. If you would like to get the CE credit, make sure you sign up on the sign up sheet located in the back of the room. Thank you, Madam Chair.

Chair Peeples – Thank you, Ms. Simon. We're going to take a 10-minute restroom break. It's 11:02 and folks that are in the audience, please come back because we got a lot more agenda and would love to have you participate. Thank you.

\*\*\*\*\*BREAK\*\*\*\*\*

Chair Peeples – It is 11:17 and we're going to call the meeting back to order. Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

**D. Application(s) for Preneed Sales Agent**

**(1) Informational Item (Licenses Issued without Conditions) – Addendum A**

Ms. Simon – This is an informational item. Pursuant to Section 497.466, Florida Statutes, the applicants on Addendum A have been issued their licenses and appointments as preneed sales agents.

**E. Application(s) for Continuing Education**

**(1) Course Approval - Recommended for Approval without Conditions – Addendum B**

- (a) Apex Continuing Education Solutions (4201)**
- (b) National Funeral Directors Association (49609)**
- (c) SCI Management - Dignity University (99)**
- (d) The Independent Funeral Group (55808)**

Ms. Simon – The course presented on Addendum B has been reviewed by the CE Committee, and the Committee as well as the Division recommends approval for the number of hours so indicated.

**MOTION:** Mr. Williams moved to approve the applications. Mr. Jones seconded the motion, which passed unanimously.

**(2) Provider Approval - Recommended for Approval without Conditions – Addendum C**

- (a) Jennifer Lares d/b/a Mulling Mortician LLC (57208)**
- (b) Everstory University d/b/a Everstory Partners (56408)**

Ms. Simon – The applicants presented on Addendum C have been reviewed by the CE Committee, and the Committee as well as the Division recommends approval of the applications.

**MOTION:** Mr. Jones moved to approve the applications. Mr. Jensen seconded the motion, which passed unanimously.

**F. Consumer Protection Trust Fund Claims**

**(1) Recommended for Approval without Conditions – Addendum D**

Ms. Simon – The CPTF claims presented on Addendum D have been reviewed by the Division and the Division recommends approval for the monetary amounts indicated.

**MOTION:** Mr. Ferreira moved to approve all the claim(s), for the monetary amounts indicated. Mr. Chapman seconded the motion, which passed unanimously.

**G. Application(s) for Embalmer Apprentice**

**(1) Informational Item (Licenses Issued without Conditions) – Addendum E**

- (a) Allen, Randi J F857940
- (b) Alton, Brittany M F396443
- (c) Barnhart, Christopher R F853813
- (d) Blanco-Chamberland, Beatrice F858844
- (e) Brinson, Jencey F F859020
- (f) Castillo Urena, Roselin B F854802
- (g) Jones Jr., Santana J F854064
- (h) Morris, Lizbeth A F854078
- (i) Woodard, Audra L F854092

Ms. Simon – This is an informational item. Pursuant to Rule 69K–1.005, F. A. C., the Division has previously approved the application listed on Addendum E.

**(2) Embalmer Apprentice (Criminal History)**

**(a) Recommended for Denial**

**1. Childers, Alexis R**

Ms. Simon – Is Ms. Childers present today or a representative of Ms. Childers?

Ms. Alexis Childers – Yes, I am.

Ms. Simon – Thank you. Ms. Childers' application for embalmer apprenticeship licensure was received by the Division on January 15, 2025. The application was incomplete when received, and a deficiency letter was issued on February 18, 2025, advising applicant to get fingerprints for a criminal background done. Ms. Childers answered “No” to the criminal history questions on her initial application. Fingerprints results were received by the Division on March 25, 2025, which had reportable criminal history. On or around June 25, 2024, Ms. Childers was found guilty and convicted of a misdemeanor for *Reckless Driving* with adjudication. Ms. Childers was sentenced to a fine and courts cost of \$1,600, DUI school, Victim Impact Panel, Drug/Alcohol Evaluation, twelve (12) months' probation, forty (40) hours community service, and twenty-four (24) hours in jail with credit for time served. The Division recommends denial based upon the recentness of the conviction (less than one (1) year ago) and for answering “No” to the criminal history questions.

Chair Peeples – Ms. Childers, if you'll let Ms. Simon swear you in.

Ms. Simon – Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. Alexis Childers – Yes ma'am.

Ms. Simon – Please state your name and spell your last name for the record.

Ms. Childers – My name is Alexis Childers, C-H-I-L-D-E-R-S.

Ms. Simon – Thank you, ma'am.

Ms. Childers – First, I would like to thank everybody for allowing me to come speak for myself. I would like to apologize. It was a mistake on my end. I did not realize that the reckless driving charge was a criminal offense, and it was an out-of-state charge, so I didn't think it would be flagged in Florida. So, it is a mistake on my end. This is my first time applying for a

license or being in trouble in general. So, it is all a learning experience for me. I'm very sorry and I have all the documents that may be needed for you guys. If so, thank you.

Chair Peeples – Thank you. Board members, any questions?

Mr. Jones – Yes.

Chair Peeples – Mr. Jones?

Mr. Jones – Yes. Is this your first offense?

Ms. Childers – Yes, sir.

Mr. Jones – No other offenses on your record?

Ms. Childers – No, sir.

Chair Peeples – Board members, any questions? Mr. Jensen?

Mr. Jensen – Ms. Childers, so on the application it says, any offenses in the last x-number of years? Why did you think it wouldn't be flagged in Florida?

Ms. Childers – I've never had to dual licensing in Florida, so I didn't realize that an out-of-state charge would come on to this one and I just didn't realize the violation would be flagged at all.

Mr. Jensen – Okay. Thank you.

Chair Peeples – Board members?

**MOTION:** Mr. Ferreira moved to deny the application. Mr. Jensen seconded the motion.

Chair Peeples – I have a couple questions if I may. It says in our Board packet that you had some court cost, DUI school, victim impact panel, drug alcohol evaluation, twelve (12) months' probation, forty (40) hours' community service, and twenty-four (24) hours in jail with credit for time served. Have any or all of those items been completed yet?

Ms. Childers – Yes ma'am. And I have documents with all of that.

Chair Peeples – Thank you, ma'am. Board members, is there any other comment? Mr. Williams?

Mr. Williams – I have a question, to your point, Madam Chair. Would the 12-month probation end in June of 2025?

Ms. Childers – I will be off of it by the end of this month. I don't have it printed out. I have an email from my probation officer stating that I haven't made any violations, and I will be off this June.

Mr. Williams – And follow up Madam Chair?

Chair Peeples – Yes, sir.

Mr. Williams – This is a question for Ms. Simon maybe. If the applicant was to withdraw their application and resubmit once everything is complete, would that make a difference? I'm just trying to get knowledge?

Ms. Simon – Well, there is a motion and a second right now to deny. I'm not sure if the motion makers will be willing to take that back to allow Ms. Childers the opportunity to withdraw her application. If she does, if she is permitted that opportunity, then a denial will not be on her record should she desire to apply again in the future.

Mr. Williams – Madam Chair, may I have a follow up?

Chair Peeples – Yes, sir.

Mr. Williams – So I guess I'm asking if the applicant was to resubmit, would Division make a recommendation of denial again or was a denial based on everything not being complete?

Ms. Simon – The Division would make the same recommendation based on the factual circumstances. Nothing would change by the time the applicant were to apply again.

Mr. Williams – Okay. Thank you.

Chair Peeples – Mr. Ferreira, you had made a motion for denial. Would you entertain to withdraw your motion so that Ms. Childers could come back once her probation completes instead of a denial being on her record?

Mr. Ferreira – I'll agree to that.

Chair Peeples – Mr. Jensen, do you withdraw your second?

Mr. Jensen – Yes, ma'am.

Chair Peeples – Thank you. So, ma'am, where we are, is when you have a situation that comes before us and we make a recommendation, it's voted on and it's in the affirmative, it will follow you for your career. So, a denial would come up. So, what we are going to give you the opportunity if you'd like to entertain to withdraw your application because your probation should not be completed until the end of June of 2025. So then once that's completed, then you can come back and make your application presented to us and then we can kind of go from there.

Ms. Childers – Okay.

Chair Peeples – Would you like to proceed?

Ms. Childers – Yes, ma'am.

Chair Peeples – Thank you. Ms. Simon?

Ms. Childers – Excuse me. I'm sorry. Was that proceed with the denial or proceed with what?

Chair Peeples – Well, it can be in the application process and then it'll have to come before us because of criminal history being on the application. Correct, Ms. Munson?

Ms. Munson – Would you like to withdraw your application given the explanation?

Ms. Childers – Yes, ma'am.

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you. Madam Chair. If the applicant withdraws her application, she will need to apply again in the future. And she would need to follow the application process that is laid out.

Chair Peeples – And what Ms. Simon is referring to is, as you so stated, that you were not aware that you needed to report the criminal history.

Ms. Childers – Yes ma'am.

Chair Peeples – So, it is in your favor if you decide to withdraw your application, and you resubmit a new application that you answer that question in the manner that will kind of assist you coming forward.

Ms. Childers – Yes, ma'am.

Ms. Simon – Well, I just also want to make it clear that with a new application comes a new cost for the application.

Ms. Childers – Yes, ma'am.

Ms. Simon – Okay. Just want to make sure we're all on the same page.

Ms. Childers – Yes, ma'am. Thank you.

Chair Peeples – So, if you'll just state for the record what you would like us to proceed with, please.

Ms. Childers – I would like you to withdraw my application, please.

Chair Peeples – Thank you, ma'am. Thank you for attending today.

Ms. Childers – Thank you.

Chair Peeples – One second. You want me to do a motion? Okay. Board members, can we have a proceeding for this please? For the application withdrawal. Motion and a second?

**MOTION:** Mr. Ferreira moved to approve the withdrawal of the application. Mr. Williams seconded the motion, which passed unanimously.

Chair Peeples – Thank you.

Ms. Childers – Thank you.

#### **H. Application(s) for Florida Laws and Rules Examination**

##### **(1) Informational Item (Licenses Issued without Conditions) – Addendum F**

###### **(a) Direct Disposer**

1. Vinci, Laura Indialantic

###### **(b) Funeral Director (Internship)**

1. Amaker Jr., Woodrow

2. LaMontagne, Julie A.

3. Leonard, Lori

4. Mitchell, Johnny M

###### **(c) Funeral Director and Embalmer (Endorsement)**

1. Griffith, David S

2. Matzke, Daniel C

3. Roberson, Daryle R

###### **(d) Funeral Director and Embalmer (Internship and Exam)**

1. Batts Sr., Jamaad

2. Farmer, Julie A

3. Lewis, Javecia

4. Jover, Daniella

5. Hall, Andrew R

6. Monroe, Ella B

7. Olson, Whitney M

8. Roberson, Trent L

9. Snyder, Timothy C

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved the applications listed on Addendum F.

*(2) Funeral Director and Embalmer by Endorsement (Criminal History)*

*(a) Recommended for Denial*

*1. Soto, Brittany*

Ms. Simon – I understand that Ms. Wiener represents Ms. Soto, and she is here today along with her client. An application for a combination funeral director & embalmer license was received by the Division on April 15, 2024. On the application, Ms. Soto indicated she had no criminal history. The application was incomplete when received and, as a result, a deficiency letter was issued on May 6, 2024, requesting the applicant to submit a two-hour communicable disease course slip and an out of state verification of licensure with no reference to fingerprints. On June 13, 2024, the missing items were received. An error with the fingerprints being cleared by licensing staff resulted in Ms. Soto's application being deemed as completed and she was authorized to take the Florida Laws & Rules Examination with an exam approval letter being sent on June 21, 2024. Ms. Soto subsequently submitted two (2) applications to retake the exam, and the last application was received on April 24, 2025. To date, Ms. Soto has not received passing results on her examination. Ms. Soto's licensing profile was then flagged for deficiencies in that she had never been fingerprinted and the Division required proof of change of her last name. Ms. Soto was notified of these deficiencies via email on April 25, 2025. On or about May 14, 2025, after the fingerprints were taken, Ms. Soto provided the Department with a Criminal History Form and a court order revealing relevant criminal history, to-wit: On or around April 9, 2024, Ms. Soto was found guilty and convicted of a misdemeanor for Reckless Driving with a plea of nolo contendere. Ms. Soto was sentenced 120 days jail which was suspended for twelve (12) months unsupervised probation, fifty (50) hours community service to be completed by October 9, 2024, six (6) months driver's license suspension, and \$800 in fines and courts cost. On May 15, 2025, Ms. Soto was emailed with a reply required and advised that her application is ready for Board review, and it can be placed on today's Board agenda if she was available to travel. A reply from Ms. Soto was received that same day advising she would like to be placed on the agenda and would be present at this in-person meeting. The Division recommends denial based on the recentness of the conviction and for answering "No" to the criminal history questions.

Chair Peeples – Thank you, Ms. Simon. Ms. Wiener?

Mr. Clark – Madam Chair?

Chair Peeples – Yes, Mr. Clark?

Mr. Clark – I want to state for the record my affiliation with Foundation Partners. That affiliation will not hinder my ability to remain fair and impartial.

Chair Peeples – Thank you, Mr. Clark.

Mr. Clark – Thank you.

Chair Peeples – Ms. Wiener?

Ms. Wendy Wiener – Good morning, Board members. Ms. Soto answered No to the criminal history question because she had no criminal history when her application was submitted. If you will look carefully at your Board packet, her application was submitted by her on April 1, 2024. Her conviction, the agreement that she made following the reckless driving arrest was on April 9, 2024. The application did not make its way to the Division for processing until April 15<sup>th</sup>. So, there was no failure to report her criminal history. Regarding the reckless driving allegation, what occurred was that Ms. Soto was involved in the early part of a relationship with a man. She thought things were going well. She was at his home. They had had cocktails actually at dinner and when they got home, an argument ensued. He ended up chasing her around the home and in an effort to get away, she went to her car and actually locked herself inside her car, but did not drive anywhere. A neighbor heard the altercation because the man came out to the street and was making a scene, heard the altercation, and called the police. When the police arrived, they arrested Ms. Soto and charged her for reckless driving because she was inside the car, and she had been drinking. She was not driving the car when this arrest occurred. So, she never drove the car. She never actually engaged



in reckless driving, but it's more well-known now but a little-known fact that if you are over the legal limit and you are inside a car with keys, you can be arrested for DUI, which you can plead down often to reckless driving. So, she did not actually drive a car recklessly or otherwise, and she did not fail to disclose this matter on her application. You can see from the Board packet that there was a lot of confusion on the Division side regarding her application. So, where you see that the most recent application was from May of this year, that was her request to retake the exam, and that does not have a criminal history question on it. So, we would ask that you license Ms. Ross.

Chair Peeples – Ms. Munson?

Ms. Munson – Just wanted to know if the applicant herself can stipulate those to be the facts. I understand that they're presented.

Ms. Wiener – If you want to swear her in.

Chair Peeples – Ms. Soto, if you'll be sworn in, please.

Ms. Simon – Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. Brittany Ross – Yes, ma'am.

Ms. Simon – Please state your name and spell your last name for the record.

Ms. Ross – Brittany Ross. Last name R-O-S-S.

Ms. Simon – Thank you.

Ms. Wiener – And are the facts that I stated, are those the actual facts?

Ms. Ross – Yes, ma'am.

Ms. Wiener – Okay.

Chair Peeples – Ms. Munson?

Ms. Munson – Just clarifying. Last name is Ross, not Soto?

Ms. Ross – Yes.

Ms. Ross – Yes.

Ms. Wiener – It's on the last page of your Board packet. She went back to her name.

Ms. Munson – For the order.

Chair Peeples – Thank you, Ms. Wiener. And Ms. Ross. Ms. Soto Ross?

Ms. Wiener – Nope. Just Ross.

Chair Peeples – Just Ross.

Ms. Wiener – Just Ross.

Chair Peeples – So, Board members, do you have any questions? Mr. Jones?

Mr. Jones – Yes. Ms. Ross, could you elaborate what Ms. Wiener said? Can you give this in your words what happened?

Ms. Ross – Yes. I was beginning a relationship with someone. I was over at his home. We had dinner, drinks, we started arguing. I tried to get away from him. It was a really large house, so there were several rooms. So, I kept trying to get away. He kept using force to keep me in corners and in a room. I eventually did get away and I went outside of my car, and I locked myself in my car. He then proceeded to continuously beat on my car, kick, hit, scream. And eventually the police was called due to the noise.

Mr. Jones – And you did not drive?

Ms. Ross – No, sir.

Chair Peeples – Thank you, Mr. Jones. Any other questions? Mr. Williams?

Mr. Williams – Yes, ma'am. I have two (2) questions. Ms. Wiener, you stated that on April 1<sup>st</sup> the application was submitted and on April 9<sup>th</sup>, the criminal activity was conducted. I guess my question is, is it a responsibility of the applicant to inform the Division of any changes as it relates to the application?

Ms. Wiener – This was Ms. Soto's first Florida application. She didn't know that she had a responsibility to make them aware of this matter. Her application when submitted was accurate and truthful. And when this situation occurred, which was after the date of the application, she did not know that. It was not until, and in fact she was processed through, there was nothing that would've given her notice that an update to the State was required. She was processed through, she was actually given permission to take the examination, which normally comes after fingerprints. Fingerprints later were requested, and it was flagged. And it was only at that point in time that she became aware that she needed to disclose this information to the State.

Mr. Williams – I understand that. My question is ordinarily, and I know you've been in this business a while, do you feel it's the applicant's responsibility to update Division of any changes, address, name, criminal activity, just so that Division has the correct, accurate information?

Ms. Wiener – That's sort of a question that would really fall into a gray area. So pursuant to the law and the rules, no. Should she have updated the Division with this information about the misdemeanor reckless driving charge? She could have but there was no legal obligation to do so. That obligation doesn't actually come into play until you have a license and on your renewal application, you have to update the state. Even if you are a licensee and a criminal charge or conviction occurs, you don't have to report that to the state until it's time for your renewal when you answer the question.

Mr. Williams – Okay. Madam Chair?

Chair Peeples – Yes, sir. Mr. Williams?

Mr. Williams – Okay. The second question is as it relates to the police, the arrest. Do you have a document that you can provide in reference to the police statement, the arrest report, because it's not in the packet, just so we can verify and validate the situation that did occur?

Ms. Wiener – I'm sure we can provide that information. We would request that you not delay her licensing application, but if you want to make her approval conditional upon receiving that documentation and the Division's review thereof, that would be fine.

Mr. Williams – Madam Chair, I'm sorry.

Chair Peeples – Yes, Mr. Williams?

Mr. Williams – I guess where I'm going with this is the first question is the information was not submitted of changes in terms of criminal activity. The second question is information not provided in reference to the police report, because in the statement that was given, the arrest happened, Ms. Ross was not driving. Just so we can validate the information, because now we have

two (2) situations that we can't truly validate because one, the criminal activity was not reported, called, emailed, or anything like that. Two, the police report is not included in that packet. And I know many times we've had cases of information not getting to applicants because of email, mailing situations, due to information not being updated on the application. And I see this is a classic case of information not being updated on the application so the Division as well as the Board is aware of what's being presented before us, because now you're asking us to approve something when this could have been resolved prior to. So that's my question, my statement in reference to this, because I have grave concerns of how we're trying to do things and information is not being provided like it should be provided. Thank you.

Chair Peeples – Ms. Wiener, any comment?

Ms. Wiener – You would be imposing a huge burden on the Division to keep up with -- I'm not even sure how you could really manage that unless you revise the law or the rule to say that once you submit an application, that if there is any change in the information between when it is submitted and when it comes before the Board, that it is that licensee's obligation to continue to update the state. Right now, that's not what the application itself says. And so, there was clearly no intent to hide this information from the State. I mean, this reckless driving incident, which didn't even involve driving, and you do have evidence of that because you have her sworn testimony to that effect. She would've had no way to know that she needed to provide that information. Once it was requested of her, she responded immediately and provided the report and got the information.

Mr. Williams – And I understand that, Madam Chair if I may?

Chair Peeples – Yes, sir.

Mr. Williams – One last statement. If I commit murder after submitting the application, is it not my duty to respond or inform the State, "Hey, I've committed murder." I mean, a criminal activity has occurred between submission of application and when the Board receives it, some type of information by counsel, by the individual to at least inform the State or the Division, I should say that this has taken place and we would like to amend or update the application because A, B and C or A, B and C. That's my only point because the Division is taking this face value, and things do occur. Things happen. But information like this should have been communicated to the Division. That's my only point. Thank you, Madam Chair.

Chair Peeples – Thank you, Mr. Williams. Ms. Wiener, any comment?

Ms. Wiener – No, no further comment on that.

Chair Peeples – Thank you. Mr. Jones?

Mr. Jones – Ms. Wiener, as their representative, no other offenses since this time?

Ms. Wiener – Any other criminal activity since this time?

Ms. Ross – No.

**MOTION:** Mr. Jones moved to approve the application with the condition of a 12-month probation due to the recency of the criminal violation. Mr. Quinn seconded the motion.

Chair Peeples – Are there any other questions?

Mr. Jensen – Question?

Chair Peeples – Mr. Jensen?

Mr. Jensen – Ms. Wiener, have you seen a police report?

Ms. Wiener – No, I haven't.

Mr. Jensen – I understand what Mr. Williams was getting at. I mean, this seems odd. That she's getting out of a house to avoid an attacker, locks herself in her car just because she's been drinking and the police came and arrested her. I mean, it sounds like you ought to be in front of the police station picketing. I mean, that seems crazy.

Ms. Wiener – It is a crime to be in your car after you've been drinking if you have the keys. If you have some cocktails and get in your car to take a nap because you're not able to drive, you don't feel that you're safe to drive and a cop pulls up behind you while you're sitting parked, you're going to jail for DUI.

Mr. Jensen – I guess, Ms. Ross, did you explain to the police officer, "Hey, I'm trying to get away from this." By the way, the guy in there is not named Ross or Soto, right?

Ms. Ross – To be transparent, no. I was scared at the time. I was very tightlipped. I didn't really say a whole lot. So that was my fault for remaining quiet about what happened before.

Ms. Wiener – But it wouldn't have mattered. The police do not have an option. If you are in your car and you are over the legal limit and you have the keys, you are arrested for DUI, period. Even if you are in the passenger seat.

Mr. Jensen – Was the gentleman reprimanded to jail or anything for attacking you? No?

Ms. Wiener – Well, he was also arrested for DUI as well, because he told the police that he had had a number of drinks at the restaurant and then drove home.

Chair Peeples – Mr. Jensen?

Mr. Jensen – I'm good, Madam Chair.

Chair Peeples – Thank you. We have a motion, and we have a second. One moment. Ms. Simon?

Ms. Simon – If I may, Board members. The question regarding criminal history is when the Department receives the application, not when perhaps it was sent. And the Department received the application on April 12<sup>th</sup>. This may not be relevant immediately to Board members, but if the criminal activity took place on April 9<sup>th</sup>, and the Department received the application on April 12<sup>th</sup>, that criminal history should be reported to the Department. We did not receive it, like I said, until April 12<sup>th</sup>. And let's even say that the application could not have been submitted on April 1<sup>st</sup> as previously stated. I mean, I'm only saying this as practicality, and the Department did not receive it until April 12<sup>th</sup>. Now, I know that there may have been problems with mail or whatever, but that's a long time to take for an application to reach the Department in any case. I wanted to bring up those date discrepancies with the Board.

Ms. Wiener – You must not send many applications to the Division because they take a long time to get through the Cashier's Office and then to get to the Division.

Ms. Simon – Oh, no. I'm sorry, but the Department received it on April 12<sup>th</sup>, not the Division.

Ms. Wiener – I can't speak to that. All I can tell you is that, and as Ms. Soto will tell you, she dated and sent the application on April 1<sup>st</sup>. When it went out, when it went out through the mail, how long it takes to get to the mail, I can mail something from my home in Tallahassee to my office in Tallahassee, and it takes six (6) days in the U.S. Postal Service to get to me. So, there was certainly no intent to mislead the Division regarding this matter. There just wasn't.

Chair Peeples – Ms. Simon, does that complete your item ma'am?

Ms. Simon – That completes my item. Thank you, Madam Chair.

Chair Peeples – Thank you.

Mr. Ferreira – Madam Chair?

Chair Peebles – Yes, Mr. Ferreira?

Mr. Ferreira – If I go to the post office and mail something like this, I'm done. I mean, I'm done, you know. Yes, it may take a while to get to where it needs to go, but in my mind, I've mailed this thing off. I've certified mailed it; I've mailed it. That's just kind of my thought. Thank you.

Chair Peebles – Thank you, Mr. Ferreira. I'm going to call the vote. And Ms. Simon, will you do a roll call vote please, ma'am?

Ms. Simon – Yes. If I could have one moment, please.

Chair Peebles – Yes, ma'am.

Ms. Simon – Okay. The motion on the floor is?

Chair Peebles – For approval with a 12-month probation.

Ms. Simon – Thank you. All of those agreeing to the motion, please respond by saying yay. Mr. Clark?

Mr. Clark – Yay.

Ms. Simon – Mr. Quinn?

Mr. Quinn – Yay.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – Yes.

Ms. Simon – Mr. Jensen?

Mr. Jensen – Yes.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Mr. Chapman?

Mr. Chapman – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – No.

Ms. Simon – Madam Chair?

Chair Peebles – No.

Ms. Simon – We have a majority. Motion passes.

Chair Peebles – Thank you.

Ms. Simon – You are welcome.

Chair Peeples – Good luck, ma'am.

Ms. Wiener – Okay. You're all done.

**(3) Funeral Director and Embalmer by Internship (Criminal History)**

**(a) Recommended for Denial**

**1. McWilliams, Morgan A**

Ms. Simon – Mr. McWilliams is here, along with his attorney, Ms. Wiener. An application for combination funeral director and embalmer license by internship was received by the Division on March 19, 2025. The application was incomplete when submitted. A deficiency letter was issued on April 24, 2025. All deficient items were received, and the application was deemed complete on May 2, 2025. The applicant answered “YES” to the criminal history question and submitted three (3) renewal criminal history forms and court documentation along with the application. Mr. McWilliams has appeared before the Board several times with the same reportable criminal history:

- On November 3, 2022, an application for embalmer apprentice was presented to the Board and recommended for denial, due to the reportable criminal history. However, Mr. McWilliams agreed to withdraw his application until his probation was completed in six (6) months. An Order Accepting Withdrawal of Application for embalmer apprentice license executed on December 1, 2022.
- On November 2, 2023, an application for embalmer apprentice was presented to the Board and recommended for denial, due to the reportable criminal history. The Board voted to approve the embalmer apprentice license with one (1) year probation. An Amended Notice of Intent to Approve with condition was executed on December 4, 2023.
- On May 7, 2024, an application for concurrent intern license was presented to the Board and recommended for denial due to the reportable criminal history. The Board voted to approve the concurrent intern license with no conditions.

Mr. McWilliams most recent fingerprints were taken on 4/29/2025 with no reportable criminal history changes. His criminal history is as follows:

In Collier County, on August 10, 2022:

- Reckless Driving with property damage, a first-degree misdemeanor, adjudicated guilty
- No Valid Driver's license, a second-degree misdemeanor, adjudicated guilty Penalty: ten days jail, one year probation, fines and court costs, and normal court requirements for a DUI-DUI School, substance abuse evaluation, random breathalyzer, alcohol restrictions, restitution to CVS

In Collier County, on August 24, 2021:

- Possession of a Controlled Substance, a third-degree felony, adjudication withheld
- Possession of Narcotic paraphernalia, a first-degree misdemeanor
- Penalty: time-served, 18 months-probation, substance abuse evaluation, random breathalyzer

In Collier County, on August 24, 2021:

- Possession Narcotic Paraphernalia, a first-degree misdemeanor, time served

In Lee County, on October 19, 2021:

- Driving while license suspended, a second-degree misdemeanor, adjudicated guilty
- Penalty: fine and court costs

The Division recommends denial due to the applicant's criminal history.

Chair Peeples – Thank you, Ms. Simon. Ms. Weiner?

Ms. Wiener – Hi, again, Board. Thank you for hearing this matter. You have seen Mr. McWilliams' criminal history on three (3) occasions now. The first go round, he was permitted to withdraw his application so that we could wait out the probationary period. He did come back after that, and he was approved subsequent to that probation and has been approved an additional time and now is before you for licensure. Mr. McWilliams has no additional criminal history, has continued to thrive in both his community and his employment, and is fully supported by his employer and would look forward to your favorable vote for his application.

Chair Peeples – Thank you, Ms. Wiener. Mr. McWilliams, would you like to address the Board? If so, you would need to be sworn in. Ms. Simon will.

Ms. Simon – Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Morgan McWilliams – Yes. And I'm happy to answer any questions.

Ms. Simon – Please state your name, sir. And spell your last name for the record.

Mr. McWilliams – Morgan Andrew McWilliams, M-C-W-I-L-L-I-A-M-S.

Ms. Simon – Thank you, sir.

Chair Peeples – Did you have any other comments, sir?

Mr. McWilliams – No comments. I'm happy to answer any questions of the Board members.

Chair Peeples – Thank you, sir. Board members, any questions or your pleasure? Mr. Jones?

Mr. Jones – Yeah. Your last visit with us, you had some strong letters of recommendation for [audio cuts out], Are they still supporting you?

Mr. McWilliams – Absolutely. That's my current employer and I'm still working there and there's still been very strong support.

Mr. Jones – So, you are still employed with them?

Mr. McWilliams – Yes, sir.

Mr. Jones – Thank you.

Chair Peeples – Thank you, Mr. Jones. Any other questions or what's the Board's pleasure?

Mr. Jensen – Question?

Chair Peeples – Yes, Mr. Jensen?

Mr. Jensen – So I'm a little confused [audio cuts out] 429 [audio cuts out].

Ms. Simon – And if I may respond, Madam Chair?

Chair Peeples – Yes, Ms. Simon.

Ms. Simon – Thank you. Mr. Jensen, these criminal offenses occurred years ago and were previously presented to the Board on three (3) other occasions.

Mr. Jensen – All of them?

Ms. Simon – I believe so. Yes. And the dates are listed within the coversheet on your Board packet.

Ms. Wiener – There are no new criminal charges or activity of any sort.

**MOTION:** Mr. Jones moved to approve the application. Mr. Clark seconded the motion, which passed with one (1) dissenting vote.

Chair Peeples – Good luck, sir.

Mr. McWilliams – Thank you.

**I. Application(s) for Internship**

**(1) Informational Item (Licenses Issued without Conditions) – Addendum G**

**(a) Funeral Director Intern**

1. Evans, Stacy L F625613 Lauderdale Lakes
2. Harris, Ahna A F853853
3. Northcutt, Madeline M F856170

**(b) Funeral Director & Embalmer (Concurrent)**

1. Calderon-Sarfati, Ana F857883
2. Cox, Donovan D F604450
3. Daniels, Shannon D F858856
4. Izquierdo, Amanda F854823
5. Johnson, Tashiana F856664
6. Martinez, Anniamary F073262
7. Ramirez, Heidi G F763459
8. Seitz, Aspen T F789709
9. Williams, Angelina N F858832

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved the applications listed on Addendum G.

**J. Applications(s) for Registration as a Training Agency**

**(1) Informational Item (Licenses Issued without Conditions) – Addendum H**

**(a) Carriage Team Florida-Funeral-LLC (Lakeland)**

Ms. Simon – This is an informational item. The Division has reviewed the applications on addendum H and have found them to be complete and that the applicants have met the requirements to be a training agency. Pursuant to Rule 69K-1.005, Florida Administrative Code, the Division has previously approved these applications.

**K. Application(s) for Cinerator Facility**

**(1) Recommended for Denial (Adverse Licensing History)**

**(a) Family Owned Funeral Group LLC d/b/a Forest Meadows Crematory (Gainesville)**

Ms. Simon – Ms. Wiener is here representing the applicant. A new application for cinerator facility licensure for Family Owned Funeral Group LLC, dba Forest Meadows Crematory was received on April 7, 2025. The business has indicated there is adverse licensing history with the Florida Department of Environmental Protection Agency. A consent order, which was included in your Board packages, was issued against the entity regarding the entity's problems with its cinerator with its retort. Due to the consent order this entity has ordered and will be installing a new retort. The new retort is expected to be installed in late October or November of 2025. At that time the business will alert this Division that this business is ready for an inspection. As of April 15, 2025, the entirety of the application process for this licensure has been completed. The funeral director in charge will be Kelli Moreland (F043858). A background check of the principals revealed no relevant criminal history. The Division recommends denial. However, I just wanted to state to the Board that the previous disciplinary history, which was reported by the applicant, may have been conducted by the current owners of the facility. And the current owners of the facility are not the same owners that are applying for this licensure. Thank you, Madam Chair.

Chair Peeples – We're confused. Go ahead, Ms. Weiner.



Ms. Wiener – Yes. That's actually not accurate. So, the membership interests of Family-Owned Funeral Group were acquired by Cornerstone. Cornerstone currently owns Family-Owned Funeral Group. The adverse licensing history that is the basis for the recommendation for denial, this defies logic in my opinion, because the purpose of the new retort is because the old retort had significant problems, and a new retort is being installed so that it will run properly and there will no longer be any issues. So brand new retort on order expected for delivery in October or possibly November. And so, it would seem like the adverse licensing history by the Department of Environmental Protection that your retort doesn't work, that you're curing by getting a new retort would be something that you could approve. I would ask that you approve this application.

Chair Peeples – Thank you, Ms. Wiener. Board members, any questions for Ms. Wiener or your pleasure?

Mr. Ferreira – I've got a question.

Chair Peeples – Yes, sir?

Mr. Ferreira – The length of time, explain that to me. I know we've discussed this before where a licensee has come in and applied for a license and then five (5), six (6) months, you know, that license has not taking place for five (5) or six (6) months. I've never understood that.

Ms. Wiener – It's a great question, Mr. Ferreira. There is no statutory or regulatory timeframe. The Board often puts a 60-day timeframe on the issuance of new licenses. At the last Board meeting, Ms. Simon indicated that it was a six-month time period. Frankly, the neighbors are upset about that old retort. It was not operating correctly. This is prior to the people that own Family-Owned Funeral Group now. But dating way back, this retort was no good. And so, the neighbors were complaining about it quite a bit. And so, it's obviously shut down while they wait for a new retort. But they wanted to get this application in place and approved so that they could say to the neighbors, we are taking action. We are going to be doing the right thing, and we're going to install equipment that works well. So, since there is no statutory timeframe, and especially since at the last Board meeting Ms. Simon indicated that there was a six-month window, we thought we would be okay in getting this retort. It is actually expected in October of this year.

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir?

Mr. Ferreira – So, if this group put Cornerstone on this application, we wouldn't be having this conversation?

Ms. Wiener – Well, the licensee is actually Family-Owned Funeral Group. So, this was a stock acquisition and not an asset purchase agreement. So, Cornerstone didn't buy all of the assets. Cornerstone actually bought Ash Curtis' whole entity. So, the applicant is Family-Owned Funeral Group. Yes.

Chair Peeples – Does that complete your question, sir?

Mr. Ferreira – Yes, ma'am.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes. So, they bought the whole entity? Because I know Mr. Curtis [audio cuts out] business in another [inaudible].

Ms. Wiener – Yes. But he operates under a different entity there. Yes. That's correct.

Mr. Jensen – Okay. Next question. Madam Chair, may I?

Chair Peeples – Yes, sir.

Mr. Jensen – Ms. Simon with the Department, so you're recommending denial based on adverse licensing history with the DEP or EPA, right?

Ms. Simon – Yes, sir.

Ms. Wiener – DEP.

Mr. Jensen – DEP. But no adverse licensing history with the Department?

Ms. Simon – No. May I, Madam Chair?

Chair Peeples – Yes, Ms. Simon.

Ms. Simon – The adverse licensing history is by any regulatory agency. It is not simply by the Board of Funeral, Cemetery and Consumer Services. That's what is mentioned in the application, and that is what the Board is to consider.

Mr. Jensen – Another follow up?

Chair Peeples – Yes, sir.

Mr. Jensen – Ms. Wiener, any cremations going on now at that location?

Ms. Wiener – Absolutely not.

Mr. Jensen – And there won't be till the new retort?

Ms. Wiener – Correct.

**MOTION:** Mr. Jensen moved to approve the application. Mr. Jones seconded the motion.

Chair Peeples – Ms. Simon?

Ms. Simon – If I may suggest a condition of the fact that no cremations be done by this facility until such time as the facility is inspected by the Division?

Ms. Wiener – Of course not, because there won't be a license there until it's inspected. So absolutely agree with that.

Chair Peeples – So, Mr. Jensen, will you amend your motion, sir, to include that statement by Ms. Simon?

Mr. Jensen – Yes, ma'am.

Chair Peeples – Mr. Jones, will you accept that?

Mr. Jones – I will. Yes.

Chair Peeples – One quick question.

Ms. Wiener – Madam Chair?

Chair Peeples – Yes, ma'am.

Ms. Wiener – Can I just address that? I don't think you want to as a Board say you can't practice until your license is issued, because if you say it here, it sort of implies that maybe you could practice just by getting approval by this Board. But you have to actually wait until your license is issued, every funeral establishment, every cinerator facility. So, I would suggest that the fact of the matter is you can't do whatever your license to do until you get that number in hand. So, and that won't come until after the inspection. So yes.

Chair Peeples – Thank you, Ms. Wiener. And Ms. Munson, I think you'd like to make a comment.

Ms. Munson – I just was curious is there a condition for an inspection that usually exists?

Ms. Wiener – Absolutely.

Chair Peeples – Board members where we are, is we have an amended motion in the statement made by Ms. Wiener. So, we're going back to Mr. Jensen. Mr. Jensen, will you like to remove that item and go back to your original motion?

Ms. Simon – Actually, if I may?

Chair Peeples – Yes, Ms. Simon?

Ms. Simon – The applicant, there's still licensure at the entity. That licensure will not be taken away until the new entity is licensed. I believe that –

Ms. Wiener – I don't think we applied for a license for that cinerator facility because it was already closed down. I can confirm that. But what I can affirmatively represent to you all is that I think what Ms. Simon wants you to do is make a motion to approve with the condition of an onsite inspection by a member of Division staff. Upon the conclusion of that, and then once they pass that inspection, then we'll get a license from the state and then they can cremate.

Mr. Jensen – Couldn't have said it better myself. So moved.

Chair Peeples – Mr. Jones, do you accept that?

Mr. Jones – Yes, ma'am.

Chair Peeples – Quick question. Ms. Wiener, the consent order, because it was under a different ownership, those items that were listed in the order have been completed and fulfilled?

Ms. Wiener – They have actually, yes.

Chair Peeples – Thank you, ma'am.

Ms. Wiener – The last one was due this past week.

Chair Peeples – Thank you, ma'am. Board members, we have a motion on the table. All in favor of the motion, say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries. Thank you, ma'am.

Ms. Wiener – Thank you.

**L. Application(s) for Removal Service**

**(1) Recommended for Approval *with* Conditions**

**(a) R1 Mortuary Transportation Services, LLC (Fort Lauderdale)**

Ms. Simon – Is a representative of the applicant here today present for this Board meeting? Hearing no response. A new application for removal service licensure for R1 Mortuary Transportation Services LLC was received on May 12, 2025. As of May 14, 2025, the application was considered complete. A background check of the principals did not reveal any relevant criminal history. The Division recommends approval subject to the condition that the establishment pass an onsite inspection by a member of Division staff.

Chair Peeples – Board members?

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, Mr. Ferreira?

Mr. Ferreira – So, as I was reading through this, I noticed that there's got to be a sign on the front door, right? The public. So, what came to my mind was, are all of the transportation service housed in the commercial property? Because there's a bunch of them, you know, a lot of them. So, if I've got to have my name on the front door and I've got to be open to the public, it appears I must have to be in a commercial building of some type. So, I think that's something that we need to pay more attention. As I was going through these, I was on my Google kind of to put the address. Is that legal? No? Never mind. Sorry. I'm sorry, my point is if it's got to be commercial, make sure during our inspection.

Chair Peeples – Thank you, Mr. Ferreira. And on this particular case, the inspection has not been completed yet. So that item would come up during that inspection. Ms. Simon?

Ms. Simon – However, that is not a requirement in statute or rule.

Chair Peeples – Not for this particular type of license. Right, Ms. Simon?

Ms. Simon – Correct. There is no requirement in statute or rule that a removal facility be housed at a commercial business location. There may be a requirement that local permitting needs to be approved before the inspection takes place. However, there is no requirement, particularly that it be housed at a commercial address under 497.

Chair Peeples – Does that complete your question, Mr. Ferreira?

Mr. Ferreira – Yes. I mean, I understand what you're saying. but I do think locally we're saying that there's got to be a name on the door and open to the public. I don't know. I think we should look at it.

Chair Peeples – Mr. Ferreira, so noted for Rules Committee.

Mr. Ferreira – Okay.

Chair Peeples – Thank you, sir. What's the Board's pleasure on this particular case?

Mr. Ferreira – Madam Chair? My point is, I don't think we should be able to run these through our house. I don't think that these companies need to be run through a residential home.

Chair Peeples – And we don't need the U-turn. Thank you.

Mr. Ferreira – Yes.

Chair Peeples – We're good. And Mr. Ferreira, thank you for the comment, but we'll address that at Rules Committee. So, what is the Board's pleasure on this particular case?

**MOTION:** Mr. Jones. moved to approve the application subject to the condition that the establishment passes an inspection by a member of Division Staff. Mr. Williams seconded the motion, which passed unanimously.

- (2) *Recommended for Approval without Conditions*
- (a) *Clowers Transport Services, Inc. (Oakland Park)*

Ms. Simon – Is there a representative of this applicant present today? Hearing no response. A new application for removal service licensure for Clowers Transport Services, Inc. was received on April 9, 2025. However, the application was incomplete at that time. As of April 16, 2025, the application was considered completed. A background check of the principal revealed

no relevant criminal history. Inspection completed on May 1, 2025. The Division recommends approval.

Chair Peeples – Board members?

**MOTION:** Mr. Clark moved to approve the application. Mr. Quinn seconded the motion, which passed unanimously.

*(b) Cypress First Call, LLC (Sanford)*

Ms. Simon – Is there a representative of this applicant present today? Please step forward. A new application for removal service licensure for Cypress First Call, LLC was received on April 15, 2025. As of April 16, 2025, the application was considered completed. A background check of the principal, Mr. David Vantilborgh, revealed no relevant criminal history. Inspection was completed on May 6, 2025. The Division recommends approval without conditions.

Chair Peeples – Thank you. Do we have someone representing this entity?

Mr. Noah Vantilborgh – Yes. Me.

Chair Peeples – If you will, let Ms. Simon swear you in please.

Ms. Simon – Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Vantilborgh – Yes.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Vantilborgh – Noah Vantilborgh, V-A-N-T-I-L-B-O-R-G-H.

Chair Peeples – Would you like to address the Board, sir, or are you here for just questions?

Mr. Vantilborgh – You just had to come up here if I was here. So, I came here.

Chair Peeples – Thank you. I appreciate that. You followed instructions. Thank you. We appreciate that. Board members?

Mr. Jensen – Question?

Chair Peeples – Yes, Mr. Jensen?

Mr. Jensen – On the application under the fees, it's got a big stamp, "No money." Is that the Department stamp or is that Mr. Vantilborgh's?

Mr. Vantilborgh – I didn't put any stamp on anything.

Mr. Jensen – Have you paid your fee?

Mr. Vantilborgh – Yes.

**MOTION:** Mr. Jensen moved to approve the application. Mr. Williams seconded the motion, which passed unanimously.

Chair Peeples – Good luck.

Mr. Vantilborgh – Okay. Thank you.

*(c) Harrington Funeral Director's, LLC (Homestead)*

Ms. Simon – Is there a representative of this applicant present today? Hearing no response. A new application for removal service licensure for Harrington Funeral Director's LLC was received on May 1, 2025. As of May 8, 2025, the application was completed. A background check of the principal, Mr. Cornelius Harrington, did not reveal any relevant criminal history. An inspection of this facility was conducted on May 16, 2025. The Division recommends approval without conditions.

Mr. Ferreira – Madam Chair?

Chair Peeples – Yes, sir.

Mr. Ferreira – So, the name of this applicant for a removal service is Harrington Funeral Directors LLC. So, what -- and I know how important, and I know Mr. Harrington is the director, has a license. Is this the retail name of this removal service? That would be a question. And if so, are we misrepresenting this particular business by using the word funeral director?

Chair Peeples – Ms. Simon?

Ms. Simon – I believe, Mr. Ferreira, that contact was made with the applicant and that was discussed. I can't absolutely guarantee it, but I believe this is the applicant I spoke with. And I indicated that the Board may have issues with the name but may not. And that was discussed if this was the applicant I spoke with.

Chair Peeples – And Mr. Ferreira, also note that on our cover sheet, the last line under Division remarks states an inspection has been completed on May 16, 2025.

Mr. Ferreira – Yes. I noticed that. But the point I'm trying to bring up is that name, they're holding themselves out as funeral directors and they're running a removal service. That's my issue.

Chair Peeples – Yes, sir. And maybe for Rules Committee, we need to kind of address this also from that..

Mr. Ferreira – Okay.

Chair Peeples – So, Division staff, are there any comments you all would like to make on Mr. Ferreira's comment?

Ms. Simon – Only the one that I previously mentioned, and the Board has previously made note of names that may be considered misleading. I do not know at this moment what action was taken by the Board in those matters. However, that is an issue that has been previously raised. Not with this applicant, but with others.

Mr. Clark – Madam Chair?

Chair Peeples – Yes, Mr. Clark?

Mr. Clark – Ms. Simon is talking about me. So, I agree with Ms. Ferreira, and I think what in the past we've done is approve subject to the Division contacting the applicant. What has been done previously is make a recommendation of Harrington Transportation or Harrington Removal. Something within the realm of the license type.

Chair Peeples – Ms. Simon?

Ms. Simon – Mr. Clark, I want to just make it clear what the conditions are. Are you saying that if the applicant does not change its name, what is the Division to do?

Mr. Clark – Correct. I've made a recommendation in the past for removal service to change the name. And I think last time we gave the Division discretion. As long as it was in the realm of the licensing of transportation removal. And then the Division could make -- again, you get a sense of the concern, what we're trying to avoid, again, removal license. I agree with Ferreira [inaudible].

Chair Peeples – Ms. Simon?

Ms. Simon – So therefore, the current name is not acceptable?

Mr. Clark – Right.

Ms. Simon – If whatever motion could reflect that.

Mr. Clark – In my comments we're not making a recommendation. I was just explaining what we've done.

Ms. Simon – Thank you.

Chair Peeples – So, is that in the form of a motion, sir?

**MOTION:** Mr. Clark moved to approve the application. Char Peeples seconded the motion.

Chair Peeples – And also for the record, on page 1,316 of our packet, this through the Department of State, the articles of incorporation for Harrington Funeral Directors, LLC was just approved on March 10, 2025. So, it's this year. So, any other questions, comments?

Mr. Jensen – Madam Chair?

Chair Peeples – Mr. Jensen?

Mr. Jensen – So this gentleman is a funeral director. I mean, just in this particular case, if they were not a funeral director, I can certainly understand you should not be able to have funeral director in your name. But he can call his removal service anything he wants to as the approval under Sunbiz, you see there. So, I'm just wondering if he in fact is a funeral director with a place of practicing a business and so happens to have his own removal team, what's the harm? I'm just curious from the Department's perspective. Is that an issue or is it not?

Chair Peeples – Ms. Simon?

Ms. Simon – From the Department's perspective, the fact that Sunbiz did list this as an active corporation is not relevant for this discussion regarding its name. However, regardless of what the applicant's licensure is, I believe that the concern that was expressed by Mr. Clark is that it would be misleading to the public, not to the type of licensure had by its principles.

Mr. Jensen – If I may?

Chair Peeples – Yes, sir.

Mr. Jensen – Ms. Simon, kind of what I'm getting at is really he didn't even need this license. If he's got a removal service and his own facility and using his own people, he doesn't even need a removal service license. Correct?

Chair Peeples – Ms. Simon?

Ms. Simon – I believe that in this case, there is no funeral establishment licensure.

Mr. Jensen – There is not?

Ms. Simon – At least we don't have a record of that. All we have here is the application for removal service facility licensure, and the only other type of license is that of a funeral director, not a funeral establishment.

Mr. Jensen – Okay. Then I would agree with Mr. Clark's motion.

Chair Peeples – We have a motion and a second. Any other discussion? Hearing none, all in favor of the motion say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carried. Mr. Clark, please confirm your motion please.

Mr. Clark – Sure. Motion to approve subject of modifying the name of the entity using language that aligns with the type of license applied. Ms. Simon?

- (3) Application for Centralized Embalming*
- (a) Recommended for Denial (Criminal History)*
- 1. Destination Embalming and Ship Out Services, LLC (Lake City)*

Ms. Simon – Is there a representative of this applicant present today?

Mr. Kaleb Archer – Yes, ma'am.

Ms. Simon – Please step forward, sir. A new application for centralized embalming facility licensure for Destination Embalming and Ship Out Services, LLC was received on April 28, 2025. As of May 5, 2025, the application was considered complete. A background check of the principal Mr. Archer revealed criminal history, although this criminal history was not reflected on the original application. The applicant subsequently submitted an amended application along with a completed criminal history form. The amended application reflects that Mr. Archer has a 2022 conviction for DUI. This amended documentation is included in the Board package. The Division recommends denial for this application.

Chair Peeples – Sir, if you'll let her swear you in.

Ms. Simon – Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Archer – So help me God.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Archer – My name is Kaleb Archer, A-R-C-H-E-R.

Ms. Simon – Thank you, sir.

Chair Peeples – Thank you, sir. Would you like to address the Board?

Mr. Archer – I am, yes, ma'am. I'm here and I'm following rules.

Chair Peeples – Thank you.

Mr. Archer – Yes, ma'am. Well, I guess it's in regards to the criminal history. That was back in 2022 when I got the DUI. I can explain myself a little bit more on that situation if you need be. Ever since. all the legal like probation, legal fees, monies that need to be paid forth through the State were all, paid and done back in 2022. I came before the Board with my last funeral director embalming application. This also was reviewed by the Board as well as to continue on in practice as a licensed funeral director and embalmer that was also approved. At the time I got the DUI if that matters, I had a lot of things going on. My father had passed recently at the end of 2019, and I was going through a very vicious divorce at the time of the arrest and an alcoholic problem. I've since been sober; everything has been fine. And if there's anything else that I could answer.

Chair Peeples – Thank you, sir. Ms. Simon?

Ms. Simon – I would like it reflected that the reason for the Division's recommendation for denial is not only due to the criminal history, but Mr. Archer can confirm that that criminal history was not included on the application originally submitted.



Mr. Archer – Correct. It was not, but it was for my misunderstanding of the application. I had simply just clicked a yes instead of a no and needed another form that I didn't realize, which I immediately once known upon about it from a call from Mr. Kennedy Smith who was doing my application. He called and said, I was missing a form, so I went to the courthouse that same day, got it and submitted the application Monday morning following that Friday conversation.

Chair Peebles – Thank you, sir. Board members, any questions for Mr. Archer? Mr. Jones?

Mr. Jones – Any other offenses?

Mr. Archer – No, sir. No sir. No, not even a speeding ticket. Thank you.

Mr. Ferreira – Madam Chair?

Chair Peebles – Yes, sir.

Mr. Ferreira – The address, the applicant's physical address?

Mr. Archer – Yes, sir?

Mr. Ferreira – Is a funeral home?

Mr. Archer – Yes, sir.

Mr. Ferreira – Okay. So, and my question is for the Division. How do we license a centralized embalming for a destination embalming and ship-out services when the address is currently an operating funeral home?

Chair Peebles – Ms. Simon?

Ms. Simon – Ms. Ferreira, that is an excellent question. The funeral establishment that is at issue is well over 1,250 square feet. The removal of the preparation room does not change the square footage in such a way that does not align with statute. Research was conducted as to whether a centralized embalming facility can be co-located with a funeral establishment, and it did not appear that that was a prohibition in statute.

Chair Peebles – Mr. Ferreira?

Mr. Ferreira – Madam Chair. Mr. Archer, are you an employee of that funeral home?

Mr. Archer – No, sir. I am not.

Chair Peebles – Mr. Ferreira, does that complete your question/comment, sir?

Mr. Ferreira – Yes.

Chair Peebles – Ms. Simon?

Ms. Simon – To further elaborate, what I understand is that this applicant is essentially renting this room from the funeral establishment in order to have a centralized embalming facility. And that's what is going on here. That's the relationship, for further edification.

Chair Peebles – Does that complete your question?

Mr. Ferreira – Yes, ma'am.

Chair Peebles – Any other questions? Mr. Williams?

Mr. Williams – This question may have been asked, your current driving license is all cleared?

Mr. Archer – Yes, sir. Yes, sir.

Mr. Williams – Okay.

Mr. Archer – Yeah, it been valid for well over a year now.

Mr. Williams – Okay, thank you.

Mr. Archer – Maybe two (2).

Chair Peeples – Any other questions? Hearing none, what is the Board's pleasure?

**MOTION:** Mr. Jones moved to approve the application. Mr. Williams seconded the motion, which passed unanimously.

Chair Peeples – Good luck.

Mr. Archer – Thank you.

Chair Peeples – Mr. Archer, one quick second. We had a comment made by the Division staff. If you'll just come back up real quick. As we have a motion by Mr. Jones, a second by Mr. Williams. Mr. Jones, will you amend your motion to include an onsite inspection?

Mr. Jones – Yes.

Chair Peeples – Mr. Williams, will you accept that?

Mr. Williams – Yes.

Chair Peeples – Thank you. All in favor of that amended motion say Yes.

Board members – [Unison] Yes.

Chair Peeples – All opposed say No. Motion carries. Thank you.

Mr. Archer – Thank you.

**M. Contract(s) or Other Related Form(s)**

*(1) Recommended for Approval with Conditions*

*(a) Preneed Sales Agreement*

*1. Queen of Angels Catholic Cemetery Inc (F423519) (Winter Park)*

Ms. Simon – This entity is represented by Ms. Wiener. Queen of Angels submits the attached revised preneed cemetery sales agreement for approval: Cemetery Interment Rights, Merchandise and Services Purchase Agreement. If approved, this agreement will be used for the sale of preneed by Queen of Angels. The Division recommends approval subject to the condition that two (2) full-sized print-ready copies of the revised preneed sales agreement are received by the Department within sixty (60) days of this Board meeting.

Chair Peeples – Ms. Wiener?

Ms. Wiener – I am here to answer questions if there are any.

Chair Peeples – Thank you. Board members?

Mr. Jensen – Question?

Chair Peebles –Yes, Mr. Jensen?

Mr. Jensen – Ms. Wiener can probably explain this to me, but what is the difference? Because I see a lot of these Catholic cemeteries and they don't come under our purview.

Ms. Wiener – Oh, this is the licensed cemetery.

Mr. Jensen – It is because it's -- I mean, they're all making profit.

Ms. Wiener – Well, it doesn't have to do with that. You can only -- the religious cemetery exemption is only up to five (5) acres.

Mr. Jensen – Oh.

Ms. Wiener – Many years ago, the various dioceses made efforts to change that law so that the Catholic cemeteries could be larger. Those efforts failed. And so, I represent several dioceses around the state that have licensed cemeteries, including Queen of Angels and the soon to be Our Lady of the Holy Rosary, which is also owned by the same ultimate parent in this case. As in this case.

Mr. Jensen – I'm good. I was just more curious.

Chair Peebles –Does that complete your question, Mr. Jensen?

Mr. Jensen – Yes, ma'am.

Chair Peebles – Any other questions for Ms. Wiener?

**MOTION:** Mr. Jones moved to approve the agreement subject to the condition that two (2) full-sized print-ready copies of the revised preneed sales agreement are received by the Department within sixty (60) days of this Board meeting. Mr. Williams seconded the motion, which passed unanimously.

Chair Peebles –Thank you.

Ms. Wiener – Thank you.

#### **N. Related Items**

##### **(1) Recommended for Approval with Conditions**

##### **(a) Volusia County Memorials, LLC (Deland)**

##### **1. Application for Monument Retailer Establishment**

Ms. Simon – Is there a representative of that entity present? Hearing no response. A new application for monument establishment licensure for Volusia County Memorials, LLC, was received on March 15, 2025. However, the application was incomplete at that time. As of May 14, 2025, the application was considered completed. A background check of the principals, Ms. Mary Grossetto, Mr. Brian Grossetto and Mr. Stephen Pinter, did not reveal any relevant criminal history. Inspection was completed on or about May 14, 2025. The Division recommends approval without conditions.

**MOTION:** Mr. Clark moved to approve the application. Mr. Jones seconded the motion, which passed unanimously.

##### **2. Monument Sales Agreement**

Ms. Simon – The Division recommends approval subject to the condition that two (2) full-sized print-ready copies of the monument sales agreement are received by the Department within sixty (60) days of the Order in this matter.

**MOTION:** Mr. Jones moved to approve the agreement subject to the condition that two (2) full-sized print-ready copies of the monument sales agreement are received by the Department within sixty (60) days of the Order in this matter. Mr. Jensen seconded the motion, which passed unanimously.

**O. Executive Director's Report**  
**(1) Operational Report (Verbal)**

Ms. Simon – The Operational Report will be presented by the Executive Director, Ms. Schwantes.

Chair Peeples – Ms. Schwantes?

Ms. Mary Schwantes – Thank you, Madam Chair. First, I want to acknowledge and thank IFDF for hosting the Board meeting. Also want to thank Juhan Mixon, Heather Bernier, and IFDF executive team for their assistance in coordinating the meeting. On that note, Mr. Mixon has asked that I announce that the lunch for IFDF members begins at 12:30 and it is outside. And while I'm talking about Mr. Mixon and his team, I also want to stress the importance of our working relationship with the association from both Division's and the Department's side, particularly as we work through legislative concerns. I cannot tell you the number of times we've spoken with Mr. Mixon, with Corinne Mixon, with others within IFDF on these matters, and we just appreciate discussions and the input from IFDF on these matters.

This last session, we all agreed upon a number of really good changes to Chapter 497. And although the bill containing those changes unfortunately did not progress during the session, the work completed on those matters really gives us a great head start for the 2026 legislative session. If you've not been involved in dealing with legislative matters in the past, you should know that we actually start looking at the next session as soon as the immediate session ends. So, we are already working on what we believe will be the 2026 legislative packet. And again, for all associations, but in particular with IFDF right now, we just really appreciate that coordination and input.

I do want to go ahead and give the Board in particular some updates on the 2025 legislative session. It began on March 4<sup>th</sup> and was scheduled to end on May 2<sup>nd</sup>, and I'm sure that you are all aware that the session itself was extended to deal with budget issues. All other legislative efforts, however, ended by May 2<sup>nd</sup>. There were a number of bills we were monitoring, about a dozen, during the session that related to the death care industry, not all necessarily Chapter 497. Some of the matters involved access to historic cemeteries, abandoned cemeteries, duties of the Department of State, protection of historic monuments, and here were bills pertaining to the filing of death certificates. And of course, the Department's Agency Bill, which included significant changes to Chapter 497, including measures regarding guidance on criminal history, particularly for the Board, and also clarification of the licensure by endorsement issues. With the exception of one (1) bill, which I'm going to discuss in a moment, none of the bills we were watching passed. Most were withdrawn from consideration at the end of the regular session.

The one (1) bill that passed was SB108 on Administrative Matters and Administrative Procedures. SB108, which again involved Administrative Procedures, passed both houses and has been sent to the Governor for his review and signature. If signed, which is expected to happen, the effective date will be July 1<sup>st</sup>. The bill involves a lot of changes to the rulemaking process. So, it would impact us, not in Chapter 497, but in our rules, 69K, that also authorizes everything we do. Among these changes is a requirement that all rules have to be fully reviewed prior to July 1, 2030, and more frequently thereafter. Importantly for now, for us, that means that at least 20% of each agency's rules have to be reviewed each year until all of the rules review of the existing rules are completed by the 2030 deadline. Even more importantly, the first 20% have to be identified by the agency in a report filed by October 1, 2025, with review completed by, and an agency report filed by January 1st, 2026, summarizing the agency's intended action on each rule reviewed. Counsels are still reviewing the bill requirements, but it's my understanding that both the Department and the Board will have to separately file the required reports on the rules that are at that area's responsibility. To meet this year's deadlines, we'll be scheduling at least one meeting of the Rules Committee in the near future. Right now, we anticipate that meeting may be a two-day event in early July.

For each rule that is reviewed, we currently believe that we're going to need to answer about ten (10) questions. These questions are set out in SB108 but include questions as to whether the rule is consistent with express legislative intent, needs any changes, substantive or technical, or should be repealed. And those are just some of the questions that will need to be answered for each rule. In addition to the rule review as just outlined, the bill requires extremely, extremely detailed annual

reports on licensing practices, which the Division's systems do not currently accommodate. And as an example of a question on the licensing process, annually we will be required to report how many applications were received. It does not specify whether these are new or renewal applications or both, but how many were received on which a deficiency notice was sent, which did not reply timely or did not reply at all. I mean, there's a lot of different steps in a licensing process that we just don't currently track, so this is going to have to be modified in our systems or we're going to have to develop handmade processes for tracking these items. That's going to lead to a lot more reporting requirements for the Division's licensing team at a minimum. The bottom line for today is if the bill is signed as expected, look for notices on upcoming Rules Committee meetings and more information on the other matters in the future.

The next full Board meeting will take place by videoconference on June 26<sup>th</sup> at 10:00 AM. As always, the June meeting is later in the month due to the preneed renewal schedule. There's no full Board meeting in July, although, as we said, there may be Rules Committee meetings scheduled. Again, all Board members are encouraged to attend the Rules Committee meetings. It is not mandatory except for the Rules Committee itself. The August meeting is going to be by videoconference on August 7<sup>th</sup>, and additional details, as always, on all of our Board meetings are found on our website, and that ends this portion of the Executive Director's Report. Thank you.

Chair Peeples – Thank you, ma'am.

## *(2) Report on Payment of Disciplinary Fines and Costs (Informational)*

Ms. Simon – This is informational only.

Monthly Report of Fines and Costs Assessed and Paid  
Division of Funeral, Cemetery and Consumer Services  
Date of Board meeting: May 29, 2025  
Date report was prepared: May 20, 2025

	Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
	Paradise Funeral Chapel, LLC	5/1/2025	292042-22-FC	\$2,000			
	Melinda Mazeline Jackson	5/1/2025	316674-23-FC & 316677-23-FC	\$4,000 + \$2,500			
	Donna Summerour McRae	5/1/2025	325260-24-FC	\$2,000			
	Joyce Wynelle Williams	5/1/2025	316197-23-FC	\$3,000			
	River City Crematory Inc.	5/1/2025	312544-23-FC	\$3,000			
	SCI Funeral Services of Florida LLC - Manasota d/b/a Manasota Memorial Park	5/1/2025	303160-22-FC	\$2,000			
	Douglas Eric Hasley	5/1/2025	330950-24-FC	\$1,750			
	Stonemor Florida Subsidiary, LLC d/b/a Forrest Hills-Palm City Chapel	5/1/2025	293062-22-FC	\$750			
	Stonemor Florida Subsidiary, LLC d/b/a Forrest Hills-Palm City Chapel	5/1/2025	300643-22-FC	\$24,000			
	Ruben Rojas	6-Mar-25	320710-23-FC	\$8,000	5-May-25		
	Nadine Ingreed Maignan	6-Mar-25	325323-24-FC	\$1,250	5-May-25		
	Geronimo Mena Jr.	2/6/2025	311851-23-FC	\$2,000	3/31/2025		
	Amex LLC d/b/a Apollo Cremations	2/6/2025	325320-24-FC	\$1,750	4-Apr-25	Paid in Full	
	Resthaven Memorial Gardens	2/6/2025	325289-24-FC	\$2,000	4-Apr-25	Paid in Full	
	Ronald Dolinar	1/2/2025	325255-24-FC	\$1,500	17-Mar-25		
	Erinn Day	1/2/2025	305799-23-FC	\$1,000	17-Mar-25	Paid in Full	
	Stonemor Florida Subsidiary d/b/a MacDonald Funeral Home and Cremation Services	1/2/2025	305795-23-FC	\$1,000	17-Mar-25	Paid in Full	
	Integrity Funeral Home and Cremations, Inc.	5-Dec-24	325251-24-FC	\$1,500	13-Mar-25	Paid in Full	
	Tim White's Vault Company of Crestview	7-Nov-24	315262-23-FC	\$1,500	20-Jan-25	Paid in Full	
	D.M. Baker Mortuary, LLC	7-Nov-24	315262-23-FC	\$1,000	20-Jan-25		Sent to OGC
	Donna Mullins-Prince	11/7/2024	315262-23-FC	\$1,000	20-Jan-25		Sent to OGC
	Leon White Transport Service	18-Jun-24	315262-23-FC	\$500	2-Sep-24		

ES 5-20-25

**P. Chair's Report (Verbal)**

Ms. Simon – Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Also, I'd like to just thank the Independent Funeral Directors of Florida for the opportunity of having our meeting here today. We have already visited the Florida Morticians Association and the Florida Cemetery, Cremation and Funeral Association, we've been there also, so we are very appreciative of the hosting of those. I want to thank the Board members for always being prepared. Thank you. And, just for the record, Mr. Powell Helm, who was one (1) of our members of our Probable Cause Panel has completed his tenure and has resigned, so we will be appointing someone and hopefully by the next meeting I'll have that appointment completed, and we will make it known at that time. So, I want to thank him for his time and for participating with us. So that ends my report. Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

**Q. Office of Attorney General's Report**  
*(1) Attorney General's Rules Report (Informational)*

Ms. Simon – Ms. Munson?

Ms. Munson – Good afternoon. Provided for informational purposes. Thank you.

**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT  
JUNE 2025**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective

There are currently no rules in the rulemaking process.

**R. Public Comments (Verbal)**

Ms. Simon – This is the opportunity to make public comment.

Mr. Jones – Madam Chair?

Chair Peeples – Yes, Mr. Jones?

Mr. Jones – Yes. Thank you. Just for notification, HB647 was signed by the Governor. This is an APRN Service Bill, and what it does is it allows non-autonomous APRNs working in a hospice facility to sign death records. Vitals Statistics will be amending e-vitals so that when you go in, if an APRN is in a facility that will sign a death record, it will be in your dropdown, and we will take care of those. The bill is effective July 1<sup>st</sup>. Just wanted to get it on the minutes and let the Board and everyone here know we will be working on that. Thank you.

Chair Peeples – Thank you, Mr. Jones. Ms. Simon?

Ms. Simon – Madam Chair, that completes this portion of the meeting.

**S. Administrative Report as May 14, 2025**

<b>A.</b>	New Cemetery Applications	0
	Recommended for Approval	0
	Pending	0
<b>B.</b>	Cemetery Acquisition Applications	1
	Recommended for Approval	0
	Pending	1
<b>C.</b>	Preneed License Applications - Active	331
	Presented to the Board at this Meeting	0
	Pending	2
<b>D.</b>	Preneed License Branch Applications	0
	Active Preneed License Branches	386
	Recommended for Approval	0
	Pending	0
<b>E.</b>	Preneed Sales Agent Applications	13
	Active Sales Agents	3,531
	Recommended for Approval	35
	Temporary Licenses Issued Pending Permanent	4
<b>F.</b>	Monument Establishment Applications	0
	Active Monument Establishments	0
	Pending	0
<b>G.</b>	Broker of Burial Rights Applications	0
	Active Brokers of Burial Rights	0
	Pending	0
<b>H.</b>	Exempt Cemetery Reports	1
	Active Exempt Cemeteries	49
	Pending	0
<b>I.</b>	New Establishment Applications	5
	Pending	3
	Completed	2
<b>J.</b>	New Individual Applications	34
	Pending	34
	Completed	0
<b>K.</b>	Request for Training Facility Applications	0
	Pending	0
	Completed	0
<b>L.</b>	Request for Continuing Education Providers and Courses	34
	Completed	34
<b>M.</b>	Initial Inspections	6
	Completed	6

N.	Inspections	324
	Completed	324
O.	Initial Licenses Issued	14
	Renewal Licenses	9

**T. Disciplinary Report**

Notices of Non-Compliance Issued Since Last Meeting (May 1, 2025)	0
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**U. Upcoming Meeting(s)**

- (1) June 26<sup>th</sup> (Videoconference)
- (2) August 7<sup>th</sup> (Videoconference)
- (3) September 4<sup>th</sup> (Videoconference)
- (4) October 9<sup>th</sup> (Videoconference)
- (5) November 6<sup>th</sup> (Videoconference)
- (6) December 4<sup>th</sup> (Videoconference)

**V. Adjournment**

Chair Peebles – Thank you. It is 12:40 on May 29<sup>th</sup>, and we're adjourned. Thank you for attending.

The meeting was adjourned at 12:40.